

## **AGENDA**

### **Administrative Committee Meeting**

**April 8, 2009**  
**9:00 a.m.**

**Location**

**SANBAG**  
*Super Chief Conference Room*  
1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor  
San Bernardino, CA

### ***Administrative Committee Membership***

**Chair – SANBAG Vice President**

Mayor Paul Eaton  
City of Montclair

**SANBAG President**

Supervisor Gary Ovitt  
County of San Bernardino

**Mt./Desert Representatives**

Mayor Rick Roelle  
Town of Apple Valley

Council Member Mike Leonard  
City of Hesperia

Supervisor Brad Mitzelfelt  
County of San Bernardino

**East Valley Representatives**

Mayor Pro Tem Patricia Gilbreath  
City of Redlands

Mayor Patrick Morris  
City of San Bernardino

Supervisor Josie Gonzales  
County of San Bernardino

**West Valley Representatives**

Council Member Gwenn Norton-Perry  
City of Chino Hills

Mayor Dennis Yates  
City of Chino

Supervisor Paul Biane  
County of San Bernardino

*San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.*

*In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:*

*The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.*

*The San Bernardino County Transportation Authority, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.*

*The Service Authority for Freeway Emergencies, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.*

*The Congestion Management Agency, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.*

*As a Subregional Planning Agency, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.*

*Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
Service Authority for Freeway Emergencies  
County Congestion Management Agency**

**AGENDA**

**Administrative Committee Meeting**

**April 8, 2009  
9:00 a.m.**

**Location:** SANBAG, Super Chief Conference Room, 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor,  
San Bernardino

CALL TO ORDER 9:00 a.m..  
(Meeting Chaired by Paul Eaton)

- I. Attendance
- II. Announcements
- III. Agenda Notices/Modifications – Anna Aldana

**Notes/Actions**

**1. Possible Conflict of Interest Issues for the Administrative Committee Meeting April 8, 2009. Pg. 6**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

**Consent Calendar**

Consent Calendar items shall be adopted by a single vote unless removed by member request.

**Administrative Matters**

**2. Attendance Register Pg. 7**

A quorum shall consist of a majority of the membership of each SANBAG Policy Committee, except that all County Representatives shall be counted as one for the purpose of establishing a quorum.

**3. Procurement Report for March 2009 Pg. 9**

Receive Monthly Procurement Report. **William Stawarski**

## Discussion Items

### Administrative Matters

4. **Fiscal Year 2009/2010 Budget Program Overview** **Pg. 11**  
Accept report from SANBAG staff relative to Program Level Budget Development. **William Stawarski**
  
5. **Computer Administration and Management Services Contract** **Pg. 33**  
Approve Sole Source Contract No. A09192 with TH Enterprises for Computer Administration and Management Services for an amount not to exceed \$178,872 as specified in the Financial Impact Section. **Duane Baker**
  
6. **Disadvantage Business Enterprise (DBE) Race Neutral and Race Conscious Program** **Pg. 44**
  - 1.) Approve Amendment No. 2 to Contract A06071-2, with the California Department of Transportation relative to the Disadvantaged Business Enterprise (DBE) Program Plan Implementation with no cost implications.
  - 2.) Approve change of DBE Liaison from Deborah Robinson Barmack to Duane A. Baker.  
**Ellen Pollema**

### Program Support/Council of Govts.

7. **State and Federal Legislative Update** **Pg. 60**  
Receive report. **Jennifer Franco**
  
8. **Surface Transportation Reauthorization Update** **Pg. 66**  
Receive report. **Jennifer Franco**

### Comments from Committee Members

#### Public Comment

### CLOSED SESSION

Conference with Labor Negotiator (Gary Ovitt)  
regarding public employee performance evaluation pursuant to  
Government code Section 54957  
Unrepresented Employee: Executive Director

Conference with Labor Negotiator (Gary Ovitt)  
pursuant to Government Code Section 54957.6  
Unrepresented Employee: Executive Director

## **ADJOURNMENT**

### **Additional Information**

#### **Acronym List**

**Pg. 74**

Complete packages of the SANBAG agenda are available for public review at the SANBAG offices. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

### AGENDA ITEM: 1

**Date:** April 8, 2009

**Subject:** Information Relative to Possible Conflict of Interest

**Recommendation\*:** Note agenda items and contractors/subcontractors which may require member abstentions due to possible conflicts of interest.

**Background:** In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Contractor/Agents	Subcontractors
5	A09192	TH Enterprises, Inc. (Ted Hoisington)	None

**Financial Impact:** This item has no direct impact on the budget.

**Reviewed By:** This item is prepared monthly for review by the Board of Directors and Policy Committee members.

\*

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

# ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD – 2009

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Paul Biane</b> Board of Supervisors	X	X										
<b>Patrick Morris</b> City of San Bernardino	X	X	X									
<b>Mike Leonard</b> City of Hesperia	X	X										
<b>Bea Cortes</b> City of Grand Terrace	X											
<b>Patricia Gilbreath</b> City of Redlands		X	X									
<b>Paul Eaton</b> City of Montclair	X	X	X									
<b>Josie Gonzales</b> Board of Supervisors												
<b>Brad Mitzelfelt</b> Board of Supervisors	X		X									
<b>Gary Ovitt</b> Board of Supervisors		X	X									
<b>Dennis Yates</b> City of Chino	X	X	X									
<b>Gwenn Norton-Perry</b> City of Chino Hills	X	X										
<b>Rick Roelle</b> Town of Apple Valley		X										

X = Member attended meeting.

Empty box = Member did not attend meeting

Crossed out box = Not a member at the time.

# ADMINISTRATIVE COMMITTEE ATTENDANCE RECORD - 2008

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Paul Biane</b> Board of Supervisors	X	X	X		X	X	X	X	X			
<b>Robert Christman</b> City of Loma Linda	X	X	X	X	X							
<b>Patrick Morris</b> City of San Bernardino												
<b>Mike Leonard</b> City of Hesperia	X	X	X	X	X	X		X	X	X	X	
<b>Bea Cortes</b> City of Grand Terrace	X	X		X	X	X		X	X	X	X	
<b>Lawrence Dale</b> City of Barstow	X	X	X		X	X	X	X	X	X		
<b>Paul Eaton</b> City of Montclair	X	X		X	X	X	X	X	X	X	X	
<b>Josie Gonzales</b> Board of Supervisors			X	X	X	X						
<b>Dennis Hansberger</b> Board of Supervisors	X	X	X			X						
<b>Brad Mitzelfelt</b> Board of Supervisors	X	X		X		X		X	X		X	
<b>Gary Ovitt</b> Board of Supervisors	X	X		X	X	X	X	X	X			
<b>Dennis Yates</b> City of Chino							X	X	X	X	X	
<b>Gwenn Norton-Perry</b> City of Chino Hills					X				X			
<b>Rick Roelle</b> Town of Apple Valley	X			X	X	X		X	X	X	X	

X = Member attended meeting. \* = Alternate member attended meeting. Empty box = Member did not attend meeting. Crossed out box = Not a member at the time.

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 3

**Date:** April 8, 2009

**Subject:** Procurement Report for March 2009

**Recommendation:\*** Receive Monthly Procurement Report.

**Background:** The Board of Directors approved the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997. The Executive Director, or designee, is authorized to approve Purchase Orders up to an amount of \$50,000. All procurements for supplies and services approved by the Executive Director, or his designee, in excess of \$5,000 shall be routinely reported to the Administrative Committee and to the Board of Directors.

Attached are the purchase orders in excess of \$5,000 to be reported to the Administrative Committee for the month of March 2009.

**Financial Impact:** This item imposes no impact on the FY 2008/2009 Budget. Presentation of the monthly procurement report will demonstrate compliance with the Contracting and Procurement Policy (Policy No. 11000).

**Reviewed By:** This item is scheduled for review by the Administrative Committee on April 8, 2009.

**Responsible Staff:** William Stawarski, Chief Financial Officer

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

**PURCHASE ORDERS ISSUED FOR MARCH 2009**

	<b>Vendor</b>	<b>Purpose</b>	<b>Sole Source Y/N</b>	<b>Amount</b>
<b>P09189</b>	<b>Public Sector Personnel Consultants</b>	<b>Personnel Classification and Compensation Study</b>	<b>No</b>	<b>\$24,500.00</b>
<b>P09191</b>	<b>Environmental Systems Research Inc.</b>	<b>Annual Software Maintenance</b>	<b>Yes – ESRI Software</b>	<b>\$12,276.00</b>
			<b>TOTAL PURCHASE ORDERS ISSUED</b>	<b>\$36,776.00</b>

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
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## *Minute Action*

AGENDA ITEM: 4

**Date:** April 8, 2009

**Subject:** Fiscal Year 2009/2010 Budget Program Overview

**Recommendation:\*** Accept report from SANBAG staff relative to Program Level Budget Development.

**Background:** Task level budget development has been completed relative to all of the activities to be included in the FY 2009/2010 budget. SANBAG's budget process is structured to provide for the maximum level of input from SANBAG policy committees. Each policy committee will review the tasks that relate to the functional areas of committee oversight and each task will be reviewed by **at least one** of the SANBAG policy committees.

SANBAG's budget process began with a review of the Board of Directors direction as it relates to short term goals and how it integrates with long term goals and objectives. Simultaneous with this review, staff analyzes available resources.

SANBAG develops a program-based budget which is adopted with funding source detail. The modified accrual basis (where revenues are recognized when received and available to meet current year obligations) is the basis for the FY 2009/2010 budget.

The first attachment is the Budget Summary which shows the anticipated revenues and expenditures for new activity for the upcoming fiscal year. The

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*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

detail for this report will be presented in an appendix that also includes task level detail with objectives and accomplishments. This strategy results in a budget document that is useful and meaningful as a benchmark against which to evaluate SANBAG's accomplishments or challenges, and to assess compliance with fiscal accountability.

The second document, the Program Overview, describes the programs and communicates the accomplishments and objectives for FY 2009/2010.

Materials relative to SANBAG staffing are also provided in this item, including recommendations for two new positions for Fiscal Year 2009/2010. The position recommendations for Fiscal Year 2009/2010 are for two Capital Project Delivery Managers for the Major Project Delivery program.

The salaries in the indirect budget are only those that cannot be directly identified to a specific agency activity. The fringe line item in individual tasks includes not only SANBAG benefits as contained in the Fringe pool, but also consideration for salaries related to paid leave time such as vacation, sick, admin and holiday.

In addition to responsibilities for general transportation planning and programming, one of the essential roles for SANBAG as a Regional Transportation Planning Agency is in the allocation of state and federal funds to transportation projects within the county. The allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF) to local agencies is included in the budget and represents significant policy and program impacts on transit development and operations throughout the county.

**Financial Impact:** The 2009/2010 SANBAG proposed budget, totaling \$294,706,564 for new budget activity and \$90,240,011 in estimated encumbrances for a total of \$384,946,575 will establish the work program and financial approvals to guide the organization throughout the coming fiscal year.

**Reviewed By:** This item is scheduled for review by the Administrative Committee on April 8, 2009. Each of the SANBAG policy committees are in the process of completing the review of the task level budget materials. A Board Workshop, in conjunction with the May 13, 2009 Administrative Committee, is also scheduled.

**Responsible Staff:** William Stawarski, Chief Financial Officer

**San Bernardino Associated Governments  
Budget Summary  
Fiscal Year 2009/2010**

	Measure 1											LTF/STAF	Grants/ Other Revenue	Grant/ Revenue Type	Total
	Valley					Mountain Desert									
	Local Distribution/ Administration	Major Projects/ Arterial	Commuter Rail	Elderly/ Handicapped Transit	Express Bus/ Bus Rapid Transit	Traffic Management	Local Distribution/ Administration	Major Local Highway	Senior/ Disabled Transit	Traffic Management					
REVENUES															
Sales Tax-Measure 1 1990-2010	14,361,363	46,645,701	5,741,009	4,305,757	-	1,435,252	15,910,298	1,485,574	297,115	118,846	-	-	-	-	88,399,380
Sales Tax-Measure 1 2010-2040	4,703,654	14,287,762	1,788,348	1,788,348	447,087	447,087	4,102,640	-	-	-	-	-	-	-	29,466,461
Local Transportation Fund	-	-	-	-	-	-	-	-	-	-	65,290,500	-	-	-	65,290,500
State Transit Assistance Fund	-	-	-	-	-	-	-	-	-	-	884,410	-	-	-	884,410
Other Grants and Revenues	41,061	2,122,761	262,303	212,302	15,575	65,575	-	51,753	10,351	4,140	-	-	104,869,315	-	107,655,136
Total Revenues	19,106,078	63,056,224	7,791,660	6,306,407	462,662	1,947,914	20,012,938	1,537,327	307,466	122,986	66,174,910	-	104,869,315	-	291,695,887
EXPENDITURES															
General/Council of Governments Support															
10410000 Intergovernmental Relations	204,790	165,461	-	-	-	-	9,000	-	-	-	-	-	28,653	LOC	407,904
49010000 Council of Governments New Initiatives	-	-	-	-	-	-	-	-	-	-	-	-	444,726	LOC	444,726
50310000 Legislation	313,840	193,407	-	-	-	-	9,707	-	-	-	-	-	-	-	516,954
60510000 Publications & Public Outreach	193,013	293,643	-	-	-	-	7,603	-	-	-	-	-	-	-	494,259
80510000 Building Operation	-	-	-	-	-	-	-	-	-	-	-	-	99,314	LOC, RAR	99,314
80610000 Building Improvements	-	-	-	-	-	-	-	-	-	-	-	-	167,841	RAR, FTA	167,841
94210000 Financial Management	36,320	322,175	-	-	-	-	10,003	-	-	-	-	-	-	-	368,498
Total General/Council of Governments Support	747,963	974,686	-	-	-	-	36,313	-	-	-	-	-	740,534	-	2,499,496
Air Quality & Traveler Services															
10210000 Air Quality Activities	-	-	-	-	-	67,492	-	-	-	-	7,499	-	-	CMAQ	74,991
0610000A Rideshare Management	-	-	-	-	-	144,949	-	-	-	-	-	-	672,113	CMAQ	817,062
0610000B Inland Empire Commuter Services	-	-	-	-	-	65,533	-	-	-	-	-	-	505,808	CMAQ	571,341
0610000C Rideshare Incentive	-	-	-	-	-	78,564	-	-	-	-	-	-	606,386	CMAQ	684,950
0610000D Regional Rideshare	-	-	-	-	-	25,799	-	-	-	-	-	-	199,127	CMAQ	224,926
70210000 Call Box System	-	-	-	-	-	-	-	-	-	-	-	-	1,104,804	SAFE	1,104,804
70410000 Freeway Service Patrol	-	-	-	-	-	-	-	-	-	-	-	-	1,816,436	SAFE/FSP	1,816,436
70610000 Intelligent Transportation Systems	-	-	-	-	-	77,451	-	-	-	-	8,606	-	-	-	86,057
70710000 Freeway Service Patrol-I-215/SR60	-	-	-	-	-	-	-	-	-	-	-	-	122,109	FSP	122,109
81210000 Clean Fuels Implementation	-	-	-	-	-	63,320	-	-	-	-	7,036	-	-	-	70,356
Total Air Quality & Traveler Services	-	-	-	-	-	523,108	-	-	-	-	23,141	-	5,026,783	-	5,573,032
Transportation Planning & Programming															
11010000 Regional Transportation Planning	-	-	-	-	-	-	-	-	-	-	106,124	-	-	-	106,124
11110000 Freight Movement Planning	-	-	-	-	-	100,000	-	-	-	-	16,189	-	-	-	116,189
11210000 Growth Forecasting & Planning	-	-	-	-	-	-	-	-	-	-	133,495	-	-	-	133,495
20210000 Transportation Modeling & Forecasting	-	-	-	-	-	34,284	-	-	-	-	93,451	-	-	-	93,451
20310000 Congestion Management Program	-	-	-	-	-	-	-	-	-	-	-	-	43,575	LOC	77,859
21310000 High Desert Corridor Studies	-	-	-	-	-	-	-	-	-	-	14,927	-	-	-	14,927
37310000 Federal/State Fund Administration	-	-	-	-	-	-	-	-	-	-	-	-	660,183	PPM	660,183
40410000 Subregional Transportation Planning	-	-	-	-	-	-	-	-	-	-	190,203	-	-	-	190,203
40910000 Data Development & Management	-	-	-	-	-	155,464	-	-	-	-	35,465	-	-	-	190,929
50010000 Transportation Improvement Program	-	-	-	-	-	-	-	-	-	-	-	-	213,437	PPM	213,437
52610000 Subregional Transportation Monitoring	-	-	-	-	-	6,844	-	-	-	-	6,844	-	-	-	13,688

	Measure 1													
	Valley					Mountain Desert								
	Local Distribution/ Administration	Major Projects/ Arterial	Commuter Rail	Elderly/ Handicapped Transit	Express Bus/ Bus Rapid Transit	Traffic Management	Local Distribution/ Administration	Major Local Highway	Senior/ Disabled Transit	Traffic Management				
Grants/ Other Revenue	Grant/ Revenue Type	LTF/STAF												
Total														
<b>EXPENDITURES</b>														
<b>Transportation Planning &amp; Programming</b>														
60110000 County Transp. Commission-General	76,348	-	-	-	-	-	-	-	-	-	284,402	25,000	SAFE	385,750
60910000 Strategic Planning/Delivery	-	394,750	-	-	-	-	311	-	-	-	-	-	-	395,061
61210000 Local Project Technical Assistance	-	-	-	-	-	-	-	-	-	-	-	44,655	PPM	44,655
70110000 Valley Signal Coordination Program	-	-	-	-	-	84,621	-	-	-	-	-	-	-	84,621
94110000 Mt/Desert Planning & Project Dev.	-	-	-	-	-	-	16,506	-	-	-	193,977	-	-	210,483
<b>Total Transportation Planning &amp; Programming</b>	<b>76,348</b>	<b>394,750</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>381,213</b>	<b>16,817</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,075,077</b>	<b>986,850</b>		<b>2,931,055</b>
<b>Major Project Delivery</b>														
81510000 Measure 1 Program Management	-	3,485,331	-	-	-	-	-	-	-	-	-	-	-	3,485,331
81710000 SR 60 Sound Wall	-	458,093	-	-	-	-	-	-	-	-	-	-	-	458,093
82010000 SR 210 Final Design	-	42,600	-	-	-	-	-	-	-	-	-	-	-	42,600
82210000 SR 210 Right of Way Acquisition	-	512,454	-	-	-	-	-	-	-	-	-	-	-	512,454
82410000 SR 210 Construction	-	4,510,978	-	-	-	-	-	-	-	-	-	-	-	4,510,978
82510000 I-10 Corridor Project Development	-	2,187,882	-	-	-	-	-	-	-	-	-	-	-	2,187,882
82610000 I-10 Cherry/Citrus Interchange	-	834,972	-	-	-	-	-	-	-	-	-	1,912,500	LOC	2,747,472
83010000 I-215 SANRIV Project Development	-	55,986	-	-	-	-	-	-	-	-	-	-	-	55,986
83410000 I-215 Final Design	-	190,557	-	-	-	-	-	-	-	-	-	-	-	190,557
83610000 I-215 Right of Way Acquisition	-	2,661,630	-	-	-	-	-	-	-	-	-	1,958,160	CMAQ	4,619,790
<b>Total</b>	<b>-</b>	<b>2,874,109</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>46,792,179</b>	<b>CMAQ,PNRS, RIP,STP, TCRP</b>	<b>49,666,288</b>
83810000 I-215 Construction	-	2,874,109	-	-	-	-	-	-	-	-	-	678,522	LOC	2,739,011
83910000 I-215 HOV Gap Closure Project	-	2,060,489	-	-	-	-	-	-	-	-	-	-	-	117,949
84010000 I-215 Barton Road Interchange	-	117,949	-	-	-	-	-	-	-	-	-	-	-	21,532,752
84110000 I-10 Riverside Interchange	-	792,752	-	-	-	-	-	-	-	-	-	20,740,000	LOC	2,257,683
84210000 I-10 Tippecanoe Interchange	-	1,077,683	-	-	-	-	-	-	-	-	-	1,180,000	IIP, DEMO	244,811
84310000 I-10 Live Oak Canyon	-	244,811	-	-	-	-	-	-	-	-	-	-	-	202,430
84510000 I-215 Mt. Vernon Washington Interch.	-	162,630	-	-	-	-	-	-	-	-	-	39,800	LOC	1,724,808
85010000 Alternative Project Financing	-	1,585,258	-	-	-	-	1,246	-	-	-	-	138,304	PPM	122,000
86010000 I-10 Lane Addition-Redlands	-	122,000	-	-	-	-	-	-	-	-	-	-	-	10,423,072
86210000 I-10 Westbound Lane Addition-Yucaipa	-	823,072	-	-	-	-	-	-	-	-	-	9,600,000	CMIA	664,194
86910000 Glen Helen Parkway Grade Separation	-	664,194	-	-	-	-	-	-	-	-	-	-	-	12,102,165
87010000 Hunts Lane Grade Separation	-	829,774	-	-	-	-	-	-	-	-	-	11,272,391	TEA, TCRP	573,461
87110000 State St./University Pkwy. Grade Sep.	-	470,961	-	-	-	-	-	-	-	-	-	102,500	PUC	1,341,266
87210000 Ramona Avenue Grade Separation	-	193,066	-	-	-	-								

**San Bernardino Associated Governments**  
**Budget Summary**  
**Fiscal Year 2009/2010**

	Measure 1											LTF/STAF	Grants/ Other Revenue	Grant/ Revenue Type	Total
	Valley					Mountain Desert									
	Local Distribution/ Administration	Major Projects/ Arterial	Commuter Rail	Elderly/ Handicapped Transit	Express Bus/ Bus Rapid Transit	Traffic Management	Local Distribution/ Administration	Major Local Highway	Senior/ Disabled Transit	Traffic Management					
EXPENDITURES															
Major Project Delivery															
87910000 Colton Crossing BNSF/UPRR Grade	-	67,154	-	-	-	-	-	-	-	-	-	-	2,344,200	IIP	2,411,354
88010000 I-15/I-215 Devore Interchange	-	2,744,616	-	-	-	-	-	-	-	-	-	-	-	-	2,744,616
93110000 Debt Service-Major/97 Issue	-	10,524,206	-	-	-	-	-	-	-	-	-	-	-	-	10,524,206
94410000 Debt Service-Major/96 Issue	-	6,566,250	-	-	-	-	-	-	-	-	-	-	-	-	6,566,250
94810000 Debt Service-Major/01 Issue A	-	11,665,500	-	-	-	-	-	-	-	-	-	-	-	-	11,665,500
94910000 Debt Service-Major/01 Issue B	-	10,457,200	-	-	-	-	-	-	-	-	-	-	-	-	10,457,200
Total Major Project Delivery	-	71,774,411	-	-	-	-	1,246	-	-	-	-	-	98,223,264	-	169,998,921
Transit & Passenger Rail															
30910000 General Transit	-	-	-	-	-	-	-	-	-	-	411,580	-	-	-	411,580
31510000 OMNITRANS	-	-	-	-	-	-	-	-	-	-	72,527	-	-	-	72,527
31610000 Barstow-County Transit	-	-	-	-	-	-	-	-	-	-	37,654	-	-	-	37,654
31710000 Victor Valley Transit	-	-	-	-	-	-	-	-	-	-	57,128	-	-	-	57,128
31810000 Morongo Basin Transit	-	-	-	-	-	-	-	-	-	-	33,585	-	-	-	33,585
31910000 Social Service Transportation Plan	-	-	-	-	-	-	-	-	-	-	172,380	-	-	-	172,380
32010000 Needles Transit	-	-	-	-	-	-	-	-	-	-	18,470	-	-	-	18,470
32110000 Mountain Area Transit	-	-	-	-	-	-	-	-	-	-	36,814	-	-	-	36,814
35210000 General Commuter Rail	-	-	-	-	-	-	-	-	-	-	636,976	-	-	-	636,976
37710000 Commuter Rail Operating Expense	-	-	2,000,000	-	-	-	-	-	-	-	8,428,115	-	200,000	RAR	10,628,115
37810000 Speedway Rail Operating Expense	-	-	-	-	-	-	-	-	-	-	120,475	-	51,000	STS	171,475
37910000 Commuter Rail Capital Expense	-	-	1,136,000	-	-	-	-	-	-	-	-	-	-	-	1,136,000
38010000 Redlands Rail Extension	-	-	-	-	-	-	-	-	-	-	75,841	-	-	-	75,841
38110000 Gold Line Phase II	-	-	-	-	-	-	-	-	-	-	46,891	-	-	-	46,891
50110000 Federal Transit Act Programming	-	-	-	-	-	-	-	-	-	-	83,299	-	-	-	83,299
Total Transit & Passenger Rail	-	-	3,136,000	-	-	-	-	-	-	-	10,231,735	-	251,000	-	13,618,735
Transportation Fund Administration															
50210000 TDA Administration	-	-	-	-	-	-	-	-	-	-	425,000	-	-	-	425,000
50410000 Measure I Administration-Valley	136,661	-	-	-	-	-	-	-	-	-	-	-	-	-	136,661
50510000 Measure I Administration-Mt./Desert	-	-	-	-	-	-	164,721	-	-	-	-	-	-	-	164,721
50610000 Local Transportation Fund	-	-	-	-	-	-	-	-	-	-	54,367,165	-	-	-	54,367,165
50710000 State Transit Assistance Fund	-	-	-	-	-	-	-	-	-	-	884,410	-	-	-	884,410
51310000 Measure I Elderly/Handicapped Transit	-	-	-	6,025,000	-	-	-	-	-	-	-	-	-	PPM	6,025,000
51510000 Measure I Apportionment & Allocation	-	-	-	-	-	-	-	-	-	-	-	-	143,421	-	143,421
61010000 Measure I 2010-2040 Project Advance	39,340	-	-	-	-	-	311	-	-	-	-	-	-	-	39,651
90710000 Debt Service-Big Bear/92 Issue	-	-	-	-	-	-	108,212	-	-	-	-	-	-	-	108,212
90810000 Debt Service-Mt./Unincorp./92 Issue	-	-	-	-	-	-	45,965	-	-	-	-	-	-	-	45,965
91800000 Valley Measure I Local Pass Thru	18,105,766	-	-	-	-	-	-	-	-	-	-	-	-	-	18,105,766
91801000 Mt./Desert Measure I Local Pass Thru	-	-	-	-	-	-	18,727,823	-	-	-	-	-	-	-	18,727,823
94610000 Debt Service-Barstow/96 Issue	-	-	-	-	-	-	742,120	-	-	-	-	-	-	-	742,120
95010000 Debt Service-Yucca Valley/01 Issue B	-	-	-	-	-	-	169,410	-	-	-	-	-	-	-	169,410
Total Transportation Fund Administration	18,281,767	-	-	6,025,000	-	-	19,958,562	-	-	-	55,676,575	-	143,421	-	100,085,325
Total Expenditures	19,106,078	73,143,847	3,136,000	6,025,000	-	904,321	20,012,938	-	-	-	67,006,528	-	105,371,852	-	294,706,564

**San Bernardino Associated Governments  
Budget Summary  
Fiscal Year 2009/2010**

	Measure I											Grants/ Other Revenue	Grant/ Revenue Type	Total	
	Valley					Mountain Desert					LTF/STAF				
	Local Distribution/ Administration	Major Projects/ Arterial	Commuter Rail	Handicapped Transit	Elderly/ Transit	Express Bus/ Bus Rapid Transit	Traffic Management	Local Distribution/ Administration	Major Local Highway	Senior/ Disabled Transit					Traffic Management
<b>RECAP</b>															
Estimated Beginning Fund Balance	1,207,615	84,643,548	12,918,391	10,268,241	-	10,267,501	-	-	-	-	-	5,640,190	19,450,173	144,395,659	
Total Revenues	19,106,078	63,056,224	7,791,660	6,306,407	462,662	1,947,914	20,012,938	1,537,327	307,466	122,986	66,174,910	104,869,315	291,695,887		
Total Expenditures	19,106,078	73,143,847	3,136,000	6,025,000	-	904,321	20,012,938	-	-	-	67,006,528	105,371,852	294,706,564		
Excess of Revenues Over (Under) Expenditures	-	(10,087,623)	4,655,660	281,407	462,662	1,043,593	-	1,537,327	307,466	122,986	(831,618)	(502,537)	(3,010,677)		
Estimated Prior Year Budgeted Revenues	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Estimated Encumbrances	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Transfers In (Out)	-	(5,376,853)	5,376,853	-	-	-	-	-	-	-	-	-	-	-	
Estimated Ending Fund Balance	1,207,615	69,179,072	22,950,904	10,549,648	462,662	11,311,094	-	1,537,327	307,466	122,986	4,808,572	18,947,636	141,384,982		
<b>Grant/Revenue Type Legend</b>															
MAQ - Congestion Mitigation Air Quality	IIP - Interregional Improvement Program	PPM - Planning, Programming & Monitoring	STP - Surface Transportation Program	CMIA - Corridor Mobility Improvement Account											
MEMO - Federal Demonstration Funds	LLP - Longer Life Pavement	PUC - Public Utilities Commission	STS - Speedway Ticket Sales	SAFE -											
SP - Freeway Service Patrol	LOC - Local Funds/Reimbursements	RAR - Rail Asset Revenue	TCRP - Traffic Congestion Relief Program												
TA - Federal Transit Administration	PNRS - Projects of National & Regional Significance	RIP - Regional Improvement Program	TEA - Transportation Enhancement Activities												

## Program Overview

The 2009/2010 SANBAG budget is organized into six distinct program areas containing new budget requirements of \$294,327,615. New budget requirements and estimated encumbrances from Fiscal Year 2008/2009 equate to a total estimated budget of \$385,945,926 for 2009/2010. Within these six program areas, ninety-nine specific tasks are budgeted. The table below lists the six programs contained in the SANBAG budget which direct the financial and human resource expenditures of the agency for the 2009/2010 budget year.

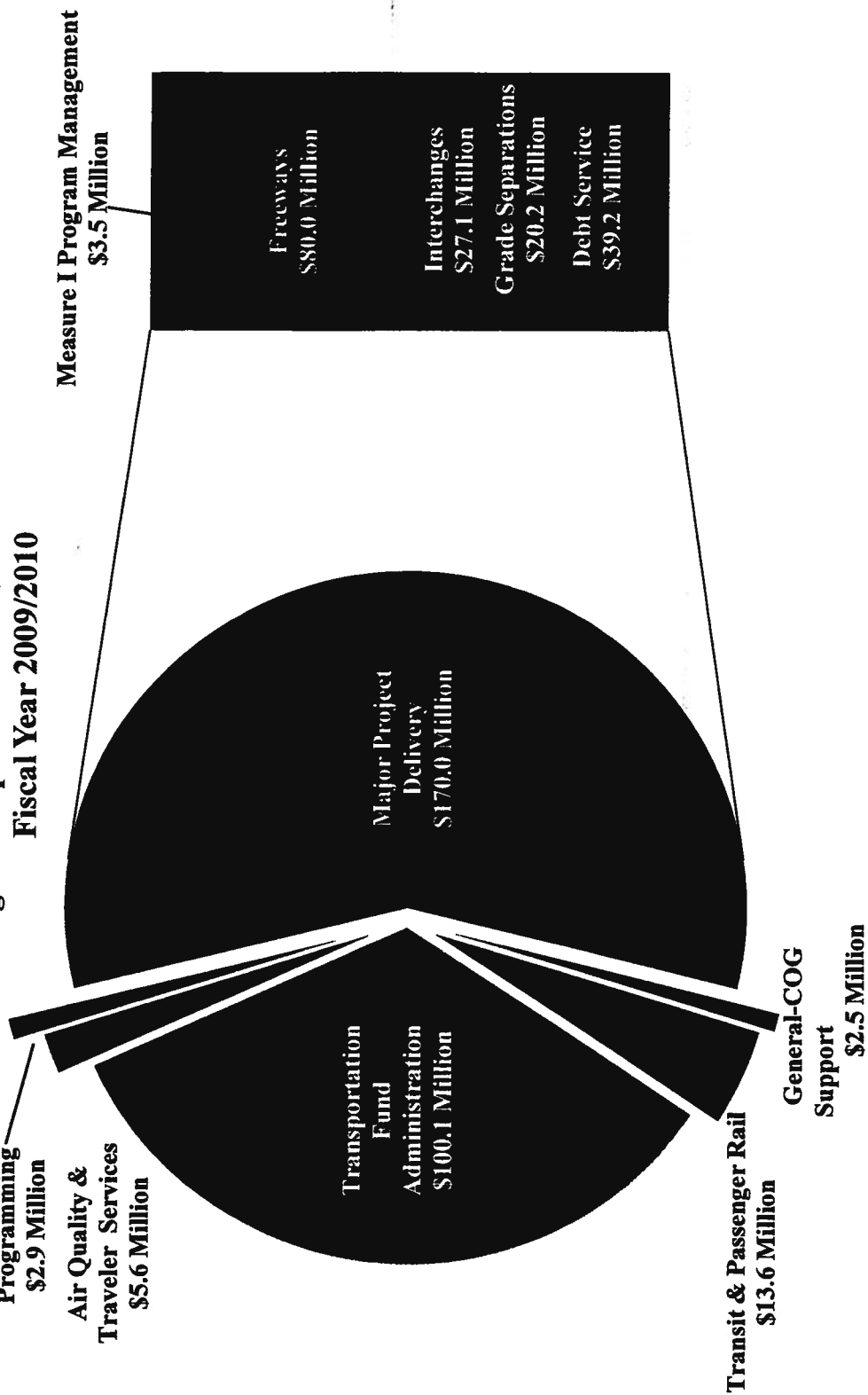
<b>SANBAG Program Budgets</b>			
	<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/06/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>	<b>\$0</b>	<b>\$0</b>	<b>\$90,240,011</b>
Air Quality & Traveler Services Program	4,692,058	6,187,723	5,573,032
Transportation Planning & Programming	5,663,763	8,579,304	2,931,055
Major Project Delivery Program	132,369,405	215,048,672	169,998,921
Transit & Passenger Rail Program	12,381,619	35,437,259	13,618,735
Transportation Fund Administration Program	158,822,406	117,520,241	100,085,325
General - Council of Govts. Support Program	1,584,240	3,364,388	2,499,496
<b>Total New Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$294,706,564</b>
<b>TOTAL</b>	<b>\$315,513,491</b>	<b>\$386,137,587</b>	<b>\$384,946,575</b>

The pie chart entitled *Budgeted Expenditures* is a graphic representation of the expenditures contained in this budget depicted by program. It is notable that over 96% of the total new expenditures will fall into the Major Project Delivery, Transit and Passenger Rail, and Transportation Fund Administration Programs for the new budget activity. These three programs include the substantial investments by SANBAG in highway construction, commuter rail operations and pass-through funds for local transit and street improvements within San Bernardino County.

Total budgeted expenditures for Fiscal Year 2009/2010 of \$384,946,575 show a less than 1% decrease by from Fiscal Year 2008/2009 budgeted expenditures of \$386,137,587.

A complete listing of the tasks contained in the six programs is included in this section of the budget document on the table entitled *Task Listing Fiscal Year 2009/2010*.

**SAN BERNARDINO ASSOCIATED GOVERNMENTS**  
**Budgeted Expenditures of \$294.7 Million**  
**Fiscal Year 2009/2010**



## Air Quality and Traveler Services Program Budget

The Air Quality and Traveler Services Program (formerly the Regional and Quality of Life Program) represents those tasks relating to policies and projects of a regional scope, generally extending beyond San Bernardino County boundaries to adjoining counties and the region. This program budget includes continuation of tasks related to inter- and intra-county ridesharing, improvement of air quality, the call box program, regional planning, and development of San Bernardino County policies in the context of regional issues.

		<b>Air Quality and Traveler Services Program Task Listing</b>		
		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
10210000	Air Quality Activities	50,290	90,852	74,991
40610000-A	Rideshare Management	180,795	810,299	817,062
40610000-B	Inland Empire Commuter Services	385,918	466,900	571,341
40610000-C	Rideshare Incentive Programs	469,744	665,000	684,950
40610000-D	Regional Rideshare Programs	186,290	301,868	224,926
70210000	Call Box System	1,532,525	1,544,452	1,104,804
70410000	Freeway Service Patrol/State	1,424,807	1,709,295	1,816,436
70610000	Intelligent Transportation Systems	33,605	105,964	86,057
70710000	Freeway Service Patrol/I-215/SR60	379,821	400,931	122,109
81209000	Clean Fuels Implementation	47,763	92,161	70,356
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>\$5,573,032</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$4,692,058</b>	<b>\$6,187,723</b>	<b>\$5,573,032</b>

This program contains several generic tasks that relate to SANBAG staff participation in the regional planning process of an on-going nature. Air Quality provides for several staff members to participate with both the South Coast Air Quality Management District (SCAQMD) and the Mojave Desert Air Quality Management District (MDAQMD) in the development of rules and implementation of programs, particularly in the area of mobile source emission reduction.

This program of tasks provides for active participation of SANBAG staff and Board of Directors with the Southern California Association of Governments (SCAG), as well as other regional organizations. Of particular importance is participation in regional decision-making processes and on the various committees. Cooperative work with SCAG, Western Riverside Council of Governments (WRCOG) and Riverside County Transportation Commission (RCTC) provides support to goods movement studies and SCAG modeling efforts. These studies include participation from the respective city and county member agencies, the California Trucking Association and other interested parties. The SANBAG role is to coordinate the activities of the project steering

committee, provide guidance to the consultant in collection of data, review collected data and analysis results, and provide comments on consultant products.

Several tasks included in this program relate to ridesharing activities, which are essential to gaining maximum utility from highway investments and to insuring programmatic support for the high-occupancy vehicle lane investments. Ridesharing outreach and incentive programs serving San Bernardino County residents are managed by SANBAG staff through contractors operating in both San Bernardino and Riverside Counties.

This program also includes a number of tasks which are funded by SCAG for studies on high priority issues related to both highway and aviation goods movement affecting San Bernardino County. In some cases, the contractors performing the work are paid through SCAG, although the project is managed by SANBAG staff. The SANBAG budget reflects only SANBAG staff costs that are contributed as match to the SCAG funded project.

The Air Quality and Traveler Services Program tasks serve to meet the Board approved SANBAG goals by funding SANBAG staff involvement in specific planning activities necessary for inclusion of priority projects in the regional plans of the metropolitan planning agency and the air quality management districts. They also promote cooperative program planning and implementation with regional partners where effectiveness and economies can be achieved.

### **Transportation Planning and Programming Budget**

This program represents the continuing responsibilities of the agency relative to comprehensive transportation planning, congestion management, modeling and forecasting, and focused transportation study efforts.

This year will see the continuation of phased implementation of the San Bernardino Valley Coordinated Traffic Signal System Plan to upgrade and coordinate nearly 1,000 traffic signals on regionally significant arterial segments throughout the Valley area. Additionally, there is a task which provides for activities related to meeting State and Federal data collection and monitoring requirements for transportation systems throughout San Bernardino County and developing transportation system performance data needed to support SANBAG's transportation planning and programming decisions.

**Transportation Planning & Programming  
Task Listing**

		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$2,267,952</b>
11010000	Regional Transportation Planning	128,634	82,692	106,124
11110000	Freight Movement Planning	300,154	239,496	116,189
11210000	Growth Forecasting & Planning	57,894	192,777	133,495
20210000	Transportation Modeling & Forecasting	80,134	108,644	93,451
20310000	Congestion Management Program	139,503	184,170	77,859
21310000	High Desert Corridor Studies	30,950	19,259	14,927
37310000	Federal/State Fund Administration	467,530	571,947	660,183
40410000	Subregional Transportation Plan	88,866	140,967	190,203
40910000	Data Development & Management	203,498	190,929	190,929
50010000	Transportation Improvement Program	248,341	233,268	213,437
52610000	Subregional Transportation Monitoring	51,405	17,827	13,688
60110000	County Trans. Commission - General	340,652	422,037	385,750
60910000	Strategic Planning/Delivery Planning	290,128	602,676	395,061
61210000	Local Project Technical Assistance	0	77,342	44,655
70110000	Valley Signal Coordination Program	2,890,793	4,204,096	84,621
94110000	Mt/Desert Planning/Project Development	331,716	1,272,274	210,483
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>\$2,931,055</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$5,663,763</b>	<b>\$8,579,304</b>	<b>\$5,199,007</b>

Several tasks within this program provide for the comprehensive, countywide planning of transportation systems and congestion management. SANBAG is charged with strategic planning for the system of arterial streets, freeways, rural highways, transit and commuter rail systems that increase mobility throughout the county.

Also included in this program are transportation studies that address corridor specific needs within subareas of the county. These studies are critical to determination of future facility needs and to qualify for discretionary funding sources allocated on a statewide basis.

These tasks serve to meet the Board approved SANBAG goals by providing for the planning, programming, and monitoring of transportation projects and the funding allocations which provide for their implementation. Adequate long range planning and allocations based upon sound technical information provides for development of the integrated system of highways, transit and commuter rail which serve the traveling public, as well as the efficient movement of goods to the county and the region.

## Major Project Delivery Program Budget

The Major Project Delivery Program budget is composed almost exclusively of tasks associated with implementation of the major freeway, interchange, and grade separation projects and is funded significantly by the Measure I Transportation Transactions and Use Tax. This program represents the capital budget for SANBAG. This program budget contains tasks associated with the full array of activities necessary for preparation, management, and construction of major projects. The budget for design, construction, support and traffic mitigation contained in this program represent 57.8% of the total SANBAG new expenditures planned for Fiscal Year 2009/2010.

		<b>Major Project Delivery Program Task Listing</b>		
		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$12,709,300</b>
81510000	Measure I Program Management	1,569,383	2,224,952	3,485,331
81710000	SR-60 Soundwall	2,589,724	1,231,310	458,093
82010000	SR-210 Final Design	939,834	572,452	42,600
82210000	SR-210 Right of Way Acquisition	7,770	1,037,828	512,454
82410000	SR-210 Construction	14,007,020	10,950,809	4,510,978
82510000	I-10 Corridor Project Development	2,261,517	6,210,133	2,187,882
82610000	I-10 Cherry/Citrus Interchanges	307,623	8,959,506	2,747,472
83010000	I-215 SanRiv Project Development	425,448	1,554,973	55,986
83410000	I-215 Final Design	3,008,834	2,137,125	190,557
83610000	I-215 Right of Way Acquisition	7,149,446	38,633,017	4,619,790
83810000	I-215 Construction	20,309,007	35,000,570	49,666,288
83910000	I-215 Bi County HOV Gap Closure	0	0	2,739,011
84010000	I-215 Barton Road Interchange	417,591	764,170	117,949
84110000	I-10 Riverside Interchange	103,619	11,731,803	21,532,752
84210000	I-10 Tippecanoe Interchange	249,209	1,147,204	2,257,683
84310000	I-10 Live Oak Canyon	5,796,847	10,729,274	244,811
84510000	I-215 Mt. Vernon/Wash. Interchange	128,807	502,129	202,430
85010000	Alternative Project Financing	0	3,302,365	1,724,808
86010000	I-10 Lane Addition-Redlands	12,355,019	3,652,278	122,000
86210000	I-10 Westbound Lane Add-Yucaipa	975,051	946,465	10,423,072
86910000	Glen Helen Pkwy Grade Separation	128,807	502,129	664,194
87010000	Hunts Lane Grade Separation	420,248	7,641,469	12,102,165
87110000	State St/Univ. Pkwy Grade Separation	13,414,460	8,954,887	573,461
87210000	Ramona Avenue Grade Separation	155,108	13,777,880	1,341,266
87310000	Valley Boulevard Grade Separation	14,398	749,081	93,370
87410000	Palm Avenue Grade Separation	871,079	0	582,368
87510000	Main Street Grade Separation	3,026,379	0	308,126
87610000	S Milliken Ave/UPRR Grade Separation	0	600,000	703,371
87710000	Vineyard Ave/UPRR Grade Separation	0	600,000	711,856
87810000	Archibald Ave/UPRR Grade Separation	0	600,000	707,671

87910000	Colton Cross BNSF/UPRR Grade Sep.	1,195,603	81,958	2,411,354
88010000	I-15/I215 Devore Interchange	2,589,724	1,231,310	2,744,616
93110000	Debt Service - Major/97 Issue	10,529,169	10,529,169	10,524,206
94410000	Debt Service - Major/96 Issue	5,658,221	6,561,563	6,566,250
94810000	Debt Service - Major/01 Issue A	11,659,063	11,659,063	11,665,500
94910000	Debt Service - Major/01 Issue B	10,105,397	10,271,800	10,457,200
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>169,998,921</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$132,369,405</b>	<b>\$215,048,672</b>	<b>\$182,708,221</b>

Tasks in the Project Development Program serve to meet the Board approved SANBAG goals by providing the project preparation and actual construction of freeway, interchange and grade separation facilities. Tasks also carry out Board direction to explore the use of alternative project financing methods. Various methods of public/private partnerships will be evaluated for use in San Bernardino County on select freeway corridors. Progress on these projects continues to accomplish important benchmarks in meeting SANBAG's commitment to the public under the Measure I Transportation Transactions and Use Tax approved in 1989 and renewed in 2004 by San Bernardino County voters with the passage of Measure I 2010-2040.

### **Transit and Passenger Rail Program Budget**

Tasks related to SANBAG's responsibilities in conjunction with transit systems, social service transportation, and the commuter rail system, is all budgeted in the Transit and Passenger Rail Program budget.

SANBAG's responsibilities relating to oversight and technical assistance to transit operators is found in several of the tasks included in this program. These tasks provide for assistance and oversight of the urban area transit operations, Omnitrans and Victor Valley Transit Authority, as well the transit operators in the rural communities of Barstow, Morongo Basin, Needles, and the San Bernardino Mountains. Each transit agency will be required to prepare a five-year Short Range Transit Plan covering Fiscal Years 2009/2010 through 2013/2014. In addition, upon completion of the public transit-human services transportation coordination plan for the County, SANBAG will be working towards addressing the needs from the study, including institutional options for the formation of a Consolidated Transportation Services Agency (CTSA) in the San Bernardino Valley. During the year, SANBAG will also conduct a study for commuter needs between the Victor and San Bernardino Valleys. All of the remaining activities relating to planning, technical assistance, and oversight responsibilities of urban and rural transit systems are continued at moderate levels.

Several tasks contained in this program fund the administration, operation, and capital expenses of the commuter rail service in the San Bernardino Valley Subarea. During Fiscal Year 2007/2008, the Metrolink San Bernardino Line transported 3.46 million passengers; the Riverside Line carried 1.3 million passengers; and the Inland

Empire/Orange County Line carried transported 1.28 million passengers. SANBAG has obtained State Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds for the purchase of three expansion passenger rail cars. These cars will be purchased over a three year period. SANBAG has also applied for this funding for Positive Train Control implementation. SANBAG will be seeking additional Federal and State funding for additional capacity improvements on the San Bernardino line, the construction of new rolling stock storage and maintenance facility in the Inland Empire and the purchase of additional rolling stock. In addition, SANBAG will continue to work toward extending the Metro Gold Line to Montclair and has completed the strategic planning effort of possibly extending the Gold Line from Montclair to the Los Angeles/Ontario International Airport. And SANBAG will be completing the alternatives analysis and preliminary environmental assessment for implementing passenger rail service between San Bernardino and Redlands.

These tasks serve to meet the Board approved SANBAG goals by funding modal alternatives of transit and commuter rail for the residents of San Bernardino County's rural areas and urban centers.

<b>Transit and Passenger Rail Program Task Listing</b>				
		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$23,272,744</b>
30910000	General Transit	225,062	553,608	411,580
31510000	Omnitrans	53,235	64,244	72,527
31610000	Barstow-County Transit	148,738	473,329	37,654
31710000	Victor Valley Transit	37,980	138,038	57,128
31810000	Morongo Basin Transit	27,083	39,090	33,585
31910000	Social Service Transportation Plan	244,851	268,950	172,380
32010000	Needles Transit	9,929	19,813	18,470
32110000	Mountain Area Transit	35,225	39,015	36,814
35210000	General Commuter Rail	584,419	1,246,437	636,976
37710000	Commuter Rail Operating Expenses	7,030,102	10,892,543	10,628,115
37810000	Speedway Rail Operating Expenses	193,194	180,500	171,475
37910000	Commuter Rail Capital Expenses	3,428,664	20,051,387	1,136,000
38010000	Redlands Rail Extension	224,628	947,562	75,841
38110000	Gold Line Phase II	29,402	341,729	46,891
50110000	Federal Transit Act Programming	109,107	181,014	83,299
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>\$13,618,735</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$12,381,619</b>	<b>\$35,437,259</b>	<b>\$36,891,479</b>

## Transportation Fund Administration Program Budget

This program contains tasks that are most central to SANBAG's role as the County Transportation Commission and relate directly to the administration and allocation of resources for the implementation of transportation projects. These tasks support the policy considerations that lead to prioritization of transportation projects, as well as the allocation and administration of both State and Federal transportation funds coming to San Bernardino County.

Tasks in this program reflect the high dollar value of the Measure I Transactions and Use Tax revenue which is passed through to cities and the county for local street projects, totaling close to \$36.9 million in Fiscal Year 2009/10. A majority of these funds are directed to the road priorities determined by local jurisdictions on their local streets, while a small amount in the Mountain/Desert jurisdictions is made available for elderly and persons with disabilities transit fare subsidies and service enhancements. In the Valley area, almost \$7.3 million will be allocated to subsidize transit service and fares for the elderly and persons with disabilities served by the Valley transit operator, Omnitrans. It also reflects the inclusion of the distribution of Local Transportation Fund and State Transit Assistance Fund revenues to local transit operators and Mountain/Desert jurisdictions for local street projects.

<b>Transportation Fund Administration Program Task Listing</b>				
		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$51,276,091</b>
50210000	TDA Administration	232,113	605,265	425,000
50410000	Measure I Administration – Valley	72,352	322,587	136,661
50510000	Measure I Administration – Mt./Desert	178,957	183,376	164,721
50610000	Local Transportation Fund	81,919,082	65,533,332	54,367,165
50710000	State Transit Assistance Fund	22,525,000	2,660,805	884,410
51310000	Measure I Valley E & D	7,054,751	7,580,564	6,025,000
51510000	Measure I Valley Apportionment/Allocation	0	0	143,421
61010000	Measure I 2010-2040 Project Advancement	13,565	18,903	39,651
90710000	Debt Service – Big Bear/92 Issue	108,135	108,183	108,212
90810000	Debt Service – Mt./Unincorporated/92 Issue	45,931	45,926	45,965
9180000	Valley Measure I Local	22,173,933	19,139,679	18,105,766
9180100	Mt./Desert Measure I Local	23,582,907	20,411,241	18,727,823
94610000	Debt Service – Barstow/96 Issue	749,277	744,000	742,120
95010000	Debt Service – Yucca Valley/01 Issue B	166,403	166,380	169,410
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>\$100,085,325</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$158,822,406</b>	<b>\$117,520,241</b>	<b>\$151,361,416</b>

Numerous tasks are also dedicated to the administrative functions performed by SANBAG as authorized in the Transportation Development Act, Measure I Transactions and Use Tax, and Federal Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU). Tasks are also dedicated to implementing provisions of Measure I 2010-2040 which begins in April 2010.

The tasks in the Transportation Program and Fund Administration serve to meet the Board approved SANBAG goals by efficient and effective administration of transportation funds. It also provides a flexible source of transportation funding directed to local governments to allow them to meet transportation priorities of their local communities. This flexible source of transportation funding additionally provides for leveraging of other resources to maximize the benefit of funds available to municipalities.

### **General - Council of Governments Support Program Budget**

The set of tasks collected in the Program Support/Council of Governments Program provide general services and support to the entire array of programs contained throughout this budget. This includes tasks related to fulfilling general activities of SANBAG as a Council of Governments, as well as the basic support provided in the areas of financial management, legislative advocacy, intergovernmental relations, and public information.

<b>General - Council of Governments Support Program Task Listing</b>				
		<b>2007/08 Actual</b>	<b>2008/09 Budget As of 02/04/09</b>	<b>2009/10 Proposed</b>
<b>Anticipated Encumbrances</b>		<b>\$0</b>	<b>\$0</b>	<b>\$713,924</b>
10410000	Intergovernmental Relations	333,425	533,328	407,904
49010000	Council Of Govts New Initiatives	964	418,229	444,726
50310000	Legislation	529,617	450,510	516,954
60510000	Publications & Public Outreach	447,586	512,494	494,259
80510000	Building Operations	8,707	125,822	99,314
80610000	Building Improvements	13,658	637,691	167,841
94210000	Financial Management	250,283	686,314	368,498
<b>Total New Budget</b>		<b>\$0</b>	<b>\$0</b>	<b>\$2,499,496</b>
<b>Total Actual/Planned Program Budget</b>		<b>\$1,584,240</b>	<b>\$3,364,388</b>	<b>\$3,213,420</b>

The Publications and Public Outreach task contained in this program provides for a variety of programs and materials that educate the public on the activities of SANBAG. It is through these activities that the public can participate in the transportation planning processes conducted by SANBAG. It is also through this task that SANBAG works with

local economic development interests, business groups, and transportation coalitions to further those infrastructure projects that serve to enhance the local economy.

The Intergovernmental and Legislative tasks contained in this program are essential to the on-going work with state and federal legislators; local, state and federal agencies; and regional transportation agencies to assure that transportation funding and project preparation are progressing relative to priorities established by the SANBAG Board. SANBAG has been particularly successful in the sponsorship of legislative proposals that improve the administrative processes performed by SANBAG.

The tasks in the Program Support/Council of Governments Program serve to meet the Board approved SANBAG goals by providing for on-going work with local, state, and federal officials toward meeting the needs of SANBAG member jurisdictions. These relationships allow for SANBAG to work with private community organizations and the general public to address their transportation concerns. They also provide for SANBAG to serve as a facilitator and catalyst for addressing the mutual issues of concern to the SANBAG membership. A key example of which has been SANBAG's participation in efforts to address the home foreclosure crisis in San Bernardino County.

## Staffing Overview

This section of the SANBAG budget provides information relative to human resources requirements for Fiscal Year 2009/2010. The SANBAG workforce is comprised of a small group of professionals and support personnel who manage and implement various programs approved by the Board of Directors. As with any organization, SANBAG's human resources are the most critical and valued asset which move the organization toward attaining the goals and objectives set forth by the governing body.

### Management Structure

SANBAG has a simple management structure which serves to facilitate the diverse responsibilities of the organization. Seven senior management staff lead small units of employees to carry out an array of programs under the general direction of the SANBAG Executive Director. The very nature of SANBAG's tasks requires that the senior management staff work independently and that they frequently engage in project development and implementation activities at the regional and statewide level.

SANBAG has built a team of senior management staff who work in a highly collaborative manner to address SANBAG management and policy issues. The senior management staff is accountable for objectives established annually within the SANBAG budget. A graphic representation of the management structure is depicted in the *SANBAG Organization Chart*.

### Staffing

The SANBAG workforce proposed in this budget is composed of the Executive Director, seven senior management positions, twenty-five professional/administrative positions, and twelve support positions. This budget proposes the addition of two new positions in the Administrative/Professional Group, as follows:

POSITION MODIFICATIONS		
Position	Range	Monthly Salary
Project Delivery Manager (2)	28 - 32	\$7,528 - \$11,122

Project Delivery Manager. The new Project Delivery Manager positions will be experienced, senior personnel that will be part of the Freeway Construction team and will be responsible for the delivery of a number of projects. These positions will be replacing services currently provided by contract. The positions will provide direction the project delivery teams and will represent SANBAG when meeting with other agencies and outside parties. These positions will report to the Director of Freeway Construction.

The total salary and benefit cost to SANBAG for the proposed new positions is estimated to be \$376,050. These positions will be funded by an offset by a reduction in consultant staff time required. As a result, there will be no added cost to SANBAG for these positions.

In addition to regular employees, temporary workers are occasionally used based on their particular skill level and availability in accordance with agency needs. There is no expectation

that temporary employees will be elevated to regular positions or that their employment will be extended beyond the particular project for which they are hired. Temporary employees receive an hourly wage, with no benefits. In the past year, SANBAG has used temporary employees to perform tasks in the areas of data management, finance, and clerical support.

The Fiscal Year 2009/2010 budget provides funding for a total of 45 regular employees and temporary employees for short-term assistance.

Contractors - SANBAG makes substantial use of contractors to provide numerous services critical to attaining the goals of the organization. These contractors fall into two distinct categories:

*Supplemental Expertise Contractors.* SANBAG retains a number of professional services contractors who provide on-going support in specific areas of expertise. Current contractors in this category have particular expertise in the areas of legal services, rail development and operations, project management, social service oriented transportation, legislative advocacy, computer network administration, financial and investment management. Each holds unique qualifications in specialized areas of expertise relative to SANBAG programs. These contractors render on-going advice and assistance in their specialized field and provide critical support to the on-going programmatic functions performed at SANBAG.

*Project Specific Contractors.* A number of consultants are retained to perform specific, identifiable projects. These contractors are retained to perform specific tasks within specified time frames. Under these contracts, consultants perform such work as traffic and facility studies, environmental review, transportation planning studies, and project engineering and design work. The use of these contractors provides for a fluctuating work force, based upon the agency requirements, and is of particular importance to the major freeway construction projects which are the largest component of the SANBAG Measure I transactions and use tax program.

Utilization of professional services contractors is an integral part of the management strategy and an essential component of the agency resources required to meet organizational goals. It is a strategy which has dividends both organizationally and fiscally to meet the changing human resources demands of the organization.

### **Salaries and Benefits**

The *Salaries and Benefits Schedule* contained in this budget illustrates the total estimated costs for salaries and benefits during the FY 2009/2010 budget year, as estimated in April, 2009. The total salary and benefit cost proposed in the FY 2009/2010 budget is \$6,682,558, which represents 2.2% of the total budgeted new expenditures. The proposed FY 2009/2010 budget anticipates adjustments for general and salary equity adjustments during the year based on the recommendations of a new classification and compensation study to be completed in the first quarter of the fiscal year.

## **Staff Utilization**

SANBAG budgets costs related to regular and temporary employees by allocation of their total hours to specific tasks. The pie chart entitled *Hourly Staff Utilization by Program* provides a visual display of human resources distributed by program. Also provided in this chapter is a table entitled *Staff Utilization Report* that depicts hours allocated by senior management, administrative/professional, and support employees to each task in the budget.

The *Staff Utilization Report* displays the distribution of resources among the various SANBAG tasks and programs, reflecting the amount of management and support staff hours necessary to perform tasks contained in the budget. Each full-time employee is budgeted for a total of 2,080 hours annually. In addition to hours worked, this total includes vacation, holiday, administrative, and sick leave. The hours worked by each employee are assigned directly to tasks approved in the annual budget, normally based on 1,850 hours worked.

For development of the annual budget, SANBAG employees allocate their total work hours among tasks based on their estimation of time necessary to accomplish work elements in the identified tasks. However, as work is performed throughout the year, hours are charged in accordance with actual time spent. As might be expected, the actual hours to accomplish tasks may vary from the original estimates included in the budget. SANBAG staff is authorized to reallocate budgeted salary costs from one program to another administratively as such adjustments may become necessary. This authority provides for accurate recordation of costs associated with budgeted tasks and provides important base information for future budgeting estimates.

**Table of Regular Positions Fiscal Year 2009/2010**

<b>Support Group</b>	<b>FY 07/08</b>	<b>FY 08/09</b>	<b>FY 09/10</b>
Senior Accounting Assistant	1	1	1
Accounting Assistant (II)	2	2	2
Clerk/Receptionist (II) & (III)	2	2	2
Secretary (I) & (II)	2	2	2
Secretary (III)	4	4	4
Assistant to the Clerk of the Board	1	1	1
<b>Total Support Group</b>	<b>12</b>	<b>12</b>	<b>12</b>
<b>Administrative/Professional Group</b>			
Accounting Manager	1	1	1
Administrative Services Specialist	1	1	1
Air Quality/Mobility Program Manager	1	1	1
Air Quality/Mobility Specialist	1	1	1
Chief of Alternative Project Financing	0	1	1
Chief of Planning	1	1	1
Chief of Programming	1	1	1
Clerk of the Board/Administrative Assistant	1	1	1
Construction Manager	1	1	1
Contracts/Controls Manager	1	1	1
Data Program Administrator	1	1	1
Human Resources/Information Services Manager	1	1	1
Legislative Specialist	1	1	1
Project Delivery Manager	0	0	2
Public Information Officer	1	1	1
Public Information Specialist	1	1	1
Transportation Planning/Programming Analyst (Senior)	1	1	1
Transportation Planning/Programming Analyst	2	3	3
Transit Analyst (Senior)	1	1	1
Transit Analyst	1	1	1
Transit Specialist	0	1	1
Transportation Planning Specialist	1	1	1
<b>Total Administrative/Professional Group</b>	<b>20</b>	<b>23</b>	<b>25</b>
<b>Senior Management Group</b>			
Chief Financial Officer	1	1	1
Director of Air Quality & Mobility Programs	1	1	1
Director of Freeway Construction	1	1	1
Director of Intergovernmental & Legislative Affairs	1	1	1
Director of Management Services	1	1	1
Director of Planning & Programming	1	1	1
Director of Transit & Rail Programs	1	1	1
Executive Director	1	1	1
<b>Total Senior Management Group</b>	<b>8</b>	<b>8</b>	<b>8</b>
<b>TOTAL REGULAR POSITIONS</b>	<b>40</b>	<b>43</b>	<b>45</b>

**San Bernardino Associated Governments**  
**Indirect Cost Allocations**  
**Fiscal Year 2009/2010**

<b>Line Items</b>	<b>2007/08 Actual</b>	<b>2008/09 Budget As of 2/4/09</b>	<b>2009/2010 Proposed</b>
Salaries	758,466	822,252	865,952
Fringe Allocation	639,571	477,554	433,798
Auditing	70,075	63,000	116,000
Building	234,039	319,430	360,000
SANBAG Vehicle	1,918	2,600	3,000
Communication	35,896	51,000	49,400
Consulting Fees	0	25,000	10,000
County Charges	166,881	121,000	120,680
Fixed Assets	37,859	47,000	0
Insurance	444,203	501,000	510,000
Inventorial Equipment	98,701	53,470	28,350
IT Prof Services & Software	40,920	597,590	86,360
Maintenance of Equipment	4,039	23,000	12,500
Meeting Expense	8,859	6,400	2,700
Mileage Reim/Sanbag Only	445	800	2,700
Office Expense	51,884	43,800	73,500
Postage	15,646	6,400	35,400
Printing/Public Info. Act.	91,091	48,700	62,600
Professional Service	388,063	449,617	586,600
Records Storage	9,231	13,040	8,000
Rental of Equipment	0	8,500	4,200
Training	19,576	14,710	37,000
Travel Air	1,714	600	200
Travel Allowance	53,616	49,200	56,000
Travel-Other	10,253	25,500	16,000
Utilities	44,050	59,684	67,000
<b>Total New Budget</b>	<b>\$0</b>	<b>\$ 0</b>	<b>3,547,940</b>
<b>Total Actual/Planned Budget</b>	<b>\$3,226,996.00</b>	<b>\$3,830,847.00</b>	<b>\$3,547,940</b>

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 5

**Date:** April 8, 2009

**Subject:** Computer Administration and Management Services Contract

**Recommendation:**\* Approve Sole Source Contract No. A09192 with TH Enterprises for Computer Administration and Management Services for an amount not to exceed \$178,872 as specified in the Financial Impact Section.

**Background:** This item recommends approval of a new one year contract with TH Enterprises for computer administration and management services. Continuation of this contractual relationship is also recommended by the SANBAG staff.

SANBAG has utilized the services of TH Enterprises Inc. (THEI) since 1990/91 when THEI developed its first automated financial accounting system. SANBAG purchased the Regional Council Management System (RCMS) software from TH Enterprises. Since the original purchase, TH Enterprises has: 1) written proprietary software for SANBAG for the distribution of Measure I revenue, 2) provided day-to-day network administration for the SANBAG computer network, 3) consulted on utilization of the RCMS software, 4) provided management and technical consultation for design and upgrade of the SANBAG network employing use of third party software and operating systems; and 4) has coordinated with other SANBAG partners and vendors for integration of other proprietary software into the SANBAG computer network.

\*

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

SANBAG utilizes contractor support for all of its information technology needs and has no dedicated information technology personnel.

In June 2003, TH Enterprises upgraded SANBAG's network technology with portal server software enabling SANBAG to work in a web-based environment and to have access to its internal information from anywhere via Internet connection. This enabled SANBAG staff with 24/7 access to SANBAG work so staff may continue to work productively whether on-site or off-site or on travel. Recently in October 2007, TH upgraded SANBAG's portal server software to the most current Microsoft software providing SANBAG with the ability to take advantage of the most current portal technology. This upgrade sets the foundation for future enhancements of the SANBAG Computer Network to enable SANBAG to take collaboration and project management to an even higher level and to take advantage of using key indicators.

These are some of the many accomplishments during Fiscal Year 2008-2009: 1) design and implementation of extended battery backup for all servers, 2) installation and implementation of advanced security that identifies hackers and permanently blocks hackers from communicating with SANBAG servers (intrusion protection system), 3) continued rotation of new hardware for outdated hardware, 4) implementation of agency-wide Adobe Acrobat licensing and usage, 5) continuing SharePoint development and implementation, 6) replacement of SANBAG's primary server hardware, 7) upgrade of the threat protection software (virus, etc.), 8) upgrade backup software to latest versions, 9) development of a written Disaster Recovery Plan and preparation for implementation of an advanced Disaster Recovery System, 10) analysis of Measure I distributions and recommendations, 11) rebuilding TDA (LTF & STAF) in the Regional Council Management System, 12) setup and installation of the new financial system servers and printers, 13) support the implementation of the new financial system, 14) support data transfers from RCMS to the new financial system.

Major goals for FY2009-2010 are: 1) maintaining a reliable and secure computer network environment, 2) implementation of Disaster Recovery System, 3) development of SharePoint-based Project-Task Management processes/systems, 4) implementation of a third party software add-on to SharePoint for greatly improved management opportunities, 5) design & implementation of formal records management using a third party software add-on to SharePoint; 6) implementation of an enhanced Contact Management module; 7) continued support of the transition from the current financial system

(RCMS) to the new financial system, and 8) ongoing support of the new financial system after going live.

The proposed contract provides for annual pre-paid services from TH Enterprises at a discounted rate for 24 days of consultation for network management and design, as well as 40 days technical support for project management, network engineering, programming, and purchasing services performed on- and off-site. TH Enterprises performs the majority of SANBAG's computer network and server and client workstation maintenance through twenty-four hour Internet access to the SANBAG network. This contract also provides for up to four consultant visits annually and four technical visits, at SANBAG's discretion.

The annual cost of this contract which includes expenses, is \$178,872 for Fiscal Year 2009-2010.

***Sole Source:***

In accordance with the adopted SANBAG contracting policy, SANBAG staff has reviewed this contractual relationship and is recommending a new contract without competitive process. It is the assessment of SANBAG staff that the consultant has performed well and, in particular, demonstrates the highest level of responsiveness when timing is critical. The consultant has also demonstrated the highest level of professionalism through providing support during implementation of the new financial system. TH is providing support in this effort, and SANBAG will require the support of TH Enterprises for the transition to the new financial system and to maintain the new financial system databases as well as for day-to-day administration of the current RCMS financial system.

It is recommended that this contract be approved without renewed competition due to the consultant's unique knowledge of SANBAG's organizational structure, computer network and needs.

***Financial Impact:***

This contract is for an amount not to exceed \$178,872. This item is consistent with the proposed 2009/2010 budget, Indirect.

***Reviewed By:***

This item was reviewed by SANBAG Counsel as to legal form.

***Responsible Staff:***

Duane A. Baker, Director Management Services

**SANBAG Contract No. A09192**

by and between

San Bernardino Associated Governments

and

TH Enterprises, Inc.

for

Computer Administration and Management Services**FOR ACCOUNTING PURPOSES ONLY**

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID <u>THEI</u>	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract:	\$ <u>178,872</u>	Previous Amendments Total:	\$ <u>0</u>
Contingency Amount:	\$ _____	Previous Amendments Contingency Total:	\$ <u>0</u>
		Current Amendment:	\$ <u>0</u>
		Current Amendment Contingency:	\$ <u>0</u>

Contingency Amount requires specific authorization by Task Manager prior to release.

**Contract TOTAL → \$ 178,872**

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
IAM10	5553	Indirect	_____	\$ <u>178,872</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Original Board Approved Contract Date: <u>5/6/09</u>	Contract Start: <u>7/1/09</u>	Contract End: <u>6/30/10</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

**If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:**

<b>Approved Budget Authority →</b>	Fiscal Year: <u>2009-2010</u> \$ <u>178,872</u>	<b>Future Fiscal Year(s) – Unbudgeted Obligation →</b>	\$ _____
------------------------------------	--	--	----------

Is this consistent with the adopted budget? ☒ Yes ☐ No  
If yes, which Task includes budget authority? IAM10  
If no, has the budget amendment been submitted? ☐ Yes ☐ No

**CONTRACT MANAGEMENT****Please mark an "X" next to all that apply:**☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly LocalDisadvantaged Business Enterprise: ☒ No ☐ Yes \_\_\_\_\_ %Task Manager: **Duane A. Baker**Contract Manager: **Terri Miyamoto**

Task Manager Signature

Date

Contract Manager Signature

Date

Chief Financial Officer Signature

Date

Filename: A09192

A09192

IAM09

**Agreement By and Between**  
**San Bernardino Associated Governments**  
**And**  
**TH Enterprises, Inc.**  
**For**

**Computer Administration and Management Services**

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between SAN BERNARDINO ASSOCIATED GOVERNMENTS hereinafter referred to as "SANBAG," and TH ENTERPRISES, INC., hereinafter referred to as "CONSULTANT."

**WITNESSETH:**

WHEREAS, SANBAG desires the services of a qualified consultant to provide computer administration and management services; and

WHEREAS, CONSULTANT has the management and technical personnel, expertise, and other assets necessary to render the aforesaid services and is desirous of providing such services;

NOW, THEREFORE, in consideration of the foregoing recitals and covenants and agreements of each of the parties herein set forth, the parties hereto agree as follows:

1. Scope of Work. SANBAG hereby contracts with CONSULTANT to perform the services as set forth in Exhibit A, Scope of Work, attached hereto and by reference incorporated herein and made a part hereto.

The annual payment to CONSULTANT provides for 24 days per year of consultation by principal management, plus 40 days per year of project management and/or certified network engineer or other technical support, which may be off-site or on-site, at the discretion of SANBAG. On-site work shall be coordinated with SANBAG staff to insure maximum utilization of services. Coordination shall include advanced identification of on-site work dates, identification of work to be performed on-site, progress review meetings during on-site work, and written reports of work accomplished during visit.

Additionally, CONSULTANT shall sell to SANBAG, at the option and upon specific authorization by SANBAG, computer hardware and third party software at CONSULTANT's costs plus 10%. The base costs shall be at the CONSULTANT's purchase price, plus freight in and out costs. Such purchases shall be made by purchase order, and costs for such purchases are not included in this Agreement. CONSULTANT hours for set up, burn in, and installation of such sales, at the discretion of SANBAG, may be charged against the hours purchased in this Agreement.

At the sole discretion of SANBAG, the CONSULTANT may receive compensation for additional work as specifically requested by SANBAG. Any such additional work shall be negotiated and compensated at or below CONSULTANT's published rate.

2. Contract Costs. The total cost of this contract shall not exceed \$178,872 in accordance with Exhibit B, Contract Costs, attached hereto and by reference incorporated herein and made a part hereto. All other costs shall be submitted by CONSULTANT to SANBAG as specified in Paragraph 4 below. Amounts specified in Exhibit B can be reallocated among identified categories upon approval of the SANBAG contract manager but cannot exceed the total amount of the contract as specified herein.

3. Time Period. The term of the Agreement shall commence on July 1, 2009, and continue until June 30, 2010.
4. Payment.
  - a) CONSULTANT shall submit invoices semi-annually to SANBAG for pre-paid Management and Technical support in accordance with Exhibit B. Invoices for Expenses and Communications shall be submitted monthly or on a time schedule approved by SANBAG. CONSULTANT shall prepare all invoices in a form satisfactory to and approved by SANBAG and shall be accompanied by documentation supporting each element of measurement and/or cost.
  - b) SANBAG shall pre-pay CONSULTANT on a semi-annual basis for Management and Technical support services upon receipt of billing by the CONSULTANT. Payment of said invoice shall be made promptly after such time that the SANBAG project manager determines that invoice charges are in agreement with the Scope of Work as set forth in Exhibit A of this Agreement. If SANBAG determines that the provision of services is not in agreement with the Scope of Work, SANBAG may reduce the invoice accordingly.
5. Reports. CONSULTANT shall submit monthly reports to SANBAG detailing hours charged against this Agreement. CONSULTANT shall also provide progress reports detailing the work accomplished during periodic visitations, accomplishments, obstacles addressed, and uncompleted tasks. Such reports shall be submitted in written form within fourteen days following the on-site visitations. Any invoice submitted which fails to comply with the terms of this Agreement, including the requirements of form and documentation, may be returned to CONSULTANT.
6. Reimbursable Expenses. Reimbursable expenses for the purpose of this Agreement shall include reasonable and necessary expenses directly related to the interests of SANBAG and travel to California. A per diem allowance for meals and lodging is established at \$208 per day to be paid for each day of on-site work at SANBAG and for each travel day which requires over-night accommodations. In such instances that the cost of an additional day of per diem is less than the most immediate return airfare, additional per diem may be authorized, at SANBAG discretion. All reimbursable expenses related to this Agreement shall be expressly authorized by SANBAG prior to such expenses being incurred.
7. Management and Key Personnel. During the term of this Agreement, CONSULTANT shall provide sufficient executive and administrative personnel as shall be necessary and required to perform its duties and obligations under the terms hereof. Key personnel identified as the project team, specifically Ted Hoisington, Derek Bibler, Kathy Davidson, Tom Brophy, Mark Haines, and Jo-Anne Moody. Such personnel shall not be replaced by any other persons without written notification to SANBAG.
8. Contract Amendments. CONSULTANT agrees any amendments, alterations, variations, modifications, or waivers of provisions of this Agreement shall be valid only when they have been reduced in writing, and approved by either the SANBAG Board of Directors or contract manager.
9. Ownership of Documents. All documents, data, products, graphics, computer programs, and reports prepared by CONSULTANT pursuant to this Agreement shall be considered property of SANBAG upon payment for services. All such items shall be delivered to SANBAG at the completion of work under the Agreement.
10. Materials Retained. CONSULTANT shall retain project-related materials and worksheets for a minimum of three (3) years after the delivery of the final product. Said materials and reports shall be available to SANBAG on request.

11. Audit. CONSULTANT shall permit the authorized representatives of SANBAG to inspect and audit all data and records of the CONSULTANT relating to performance under this Agreement for a period of three years following final payment for services rendered.
12. Equal Employment Opportunity. CONSULTANT agrees to comply with Title VII of the Civil Rights Act of 1964, as amended, Executive Order 11246, as amended by Executive Order 11375, 11625, 12138, 12432, 12250, the California Fair Employment and Housing Act, and any other applicable federal and state laws, regulations and policies relating to equal employment, including laws and regulations hereafter enacted.
13. Disadvantaged Business Enterprises. In connection with the performance of this Agreement, CONSULTANT will cooperate with SANBAG in meeting its commitments and goals with regard to the maximum utilization of Disadvantaged Business Enterprises and will use its best efforts to insure that Disadvantaged Business Enterprises shall have the maximum practicable opportunity to compete for sub-contract work under this Agreement.
14. Americans with Disabilities Act. CONSULTANT shall comply with all applicable provisions of the American with Disabilities Act (ADA).
15. Sub-Contracting. CONSULTANT shall not sub-contract any portion of the work required by this Agreement without prior approval of SANBAG. CONSULTANT is responsible for any and all work performed by subconsultants and is responsible for payment of subconsultants for such work.
16. Independent Contractor. CONSULTANT's relationship with SANBAG in performance of this Agreement is that of an independent contractor. CONSULTANT's personnel performing services under this Agreement shall at all times be under CONSULTANT's exclusive direction and control and shall be employees of CONSULTANT and not of SANBAG. CONSULTANT shall pay all wages, salaries and other amounts due its employees in connection with this Agreement and shall be responsible for all reports and obligations respecting them, such as social security, income tax withholding, unemployment compensation, workers' compensation, and similar matters, including liability insurance for its employees.
17. Confidentiality. CONSULTANT agrees that it, and its employees, agents, and subcontractors will hold confidential and not divulge to third parties without the prior written consent of SANBAG, any information obtained by CONSULTANT from or through SANBAG in connection with CONSULTANT's performance of this Agreement, unless (a) the information was known to CONSULTANT prior to obtaining same from SANBAG pursuant to a prior contract; or (b) the information was at the time of disclosure to CONSULTANT, or thereafter becomes part of the public domain, but not as a result of the fault or an unauthorized disclosure of CONSULTANT or its employees, agents, or subcontractors; or (c) the information was obtained by CONSULTANT from a third party who did not receive the same, directly or indirectly, from SANBAG and who had, to CONSULTANT'S knowledge and belief, the right to disclose the same.
18. Contract Assignability. This Agreement is not assignable by CONSULTANT either in whole or in part without the prior written consent of SANBAG.
19. Prohibited Interest. No member, officer, or employee of SANBAG during his/her tenure or one year thereafter shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

20. Communications. All notices hereunder and communications with respect to this Agreement shall be effective upon the mailing thereof by registered or certified mail, return receipt requested, and postage prepaid to the persons named below:
- |  |  |
|--|--|
| <u>If to SANBAG:</u>   | <u>If to CONSULTANT:</u>   |
| Duane A. Baker<br>1170 W. 3 <sup>rd</sup> Street, 2 <sup>nd</sup> Floor<br>San Bernardino, CA 91410-1715 | Ted Hoisington<br>310 I-30 East, Suite B101<br>Garland, TX 75043 |
21. Termination. If, through any cause within its control, CONSULTANT shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if CONSULTANT violates any of the terms or stipulations of the Agreement, SANBAG will notify CONSULTANT in writing of the deficiency. If the deficiency is not corrected within thirty (30) days, SANBAG shall thereupon have the right to terminate this Agreement and to specify the effective date thereof, such notice to be provided at least five (5) days before the effective date of such termination. CONSULTANT shall be entitled to receive compensation for the percentage of completion of work in progress at the termination date, as determined by SANBAG, applied to the Contract Value.
- Notwithstanding the above provisions, SANBAG shall have the right to terminate this Agreement without cause at any time upon sixty (60) days notice to CONSULTANT.
22. Succession. This Agreement shall be binding on and inure to the benefit of the heirs, executors, administrators, and assigns of the parties hereto.
23. Headings. The headings or titles to paragraphs of this Agreement are not part of the Agreement and shall have no effect on the construction or interpretation of any part of this Agreement.
24. Disputes. Except as otherwise provided in this Agreement, any disputes concerning a question of fact arising under this Agreement which are not disposed of by mutual agreement shall be decided by a court of competent jurisdiction. This Agreement shall be subject to the law and jurisdiction of the State of California. The venue for any actions arising out of this Agreement will be the Superior Court for the County of San Bernardino.
25. Indemnification. The CONSULTANT agrees to indemnify, defend and hold harmless SANBAG and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages and/or liability arising from CONSULTANT's acts, errors or omissions and for any costs or expenses incurred by SANBAG on account of any claim therefore, except where such indemnification is prohibited by law.
26. Insurance Coverage. Without in any way affecting the indemnity herein provided and in addition thereto, CONSULTANT shall secure and maintain throughout the Agreement the following types of insurance with limits as shown:
- a) Workers' Compensation – A program of Workers' Compensation insurance or a State-approved Self-Insurance Program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with two hundred fifty thousand dollars (\$250,000) limits, covering all persons providing services on behalf of the CONSULTANT and all risks to such persons under this Agreement.
  - b) Comprehensive General and Automobile Liability Insurance – This coverage to include contractual coverage and automobile liability coverage for owned, hired and non-owned vehicles. The policy shall have combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000).

- c) Errors and Omission Liability Insurance – Combined single limits of \$1,000,000 for bodily injury and property damage and \$3,000,000 in the aggregate or  
Professional Liability – Professional liability insurance with limits of at least \$1,000,000 per claim or occurrence.
- d) Waiver of subrogation Rights – Except for the Errors and Omissions Liability and Professional Liability, CONSULTANT shall require the carriers of the above required coverage to waive all rights of subrogation against SANBAG, its officers, employees, agents, volunteers, contractors and subcontractors.
- e) Policies Primary and Non-Contributory – All policies required above are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by SANBAG.
- f) Failure to Procure/Show Proof of Insurance – Failure on the part of CONSULTANT to procure or maintain the required insurance shall be considered a material breach of contract upon which SANBAG may immediately terminate this Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, and all monies so paid by SANBAG shall be repaid by CONSULTANT to SANBAG upon demand or SANBAG may offset the premiums against any monies due to CONSULTANT from SANBAG.

**IN WITNESS THEREOF**, the parties hereto have caused this Agreement to be executed by and through their respective officers thereunto duly authorized on the date written below their signatures.

SAN BERNARDINO  
ASSOCIATED GOVERNMENTS

TH Enterprises, Inc.

By:

\_\_\_\_\_  
Gary Ovitt  
President  
SANBAG Board of Directors

\_\_\_\_\_  
Ted Hoisington  
Principal

Date

\_\_\_\_\_

Date

\_\_\_\_\_

APPROVED AS TO FORM:

By:

\_\_\_\_\_  
Jean Rene Basle  
SANBAG Counsel

Date:

\_\_\_\_\_

## SCOPE OF WORK

- I. The following services shall be provided by Consultant:
  - A. Consultation, administration, and management of the SANBAG computer network, including operation and maintenance of hardware and integration of Regional Council Management System (RCMS) and third party operating systems and software programs.
  - B. Consultation related to use of RCMS and Measure I allocation program developed for use by SANBAG.
  - C. Consultation related to the overall planning and implementation of computer software and hardware systems utilizing both TH Enterprise software and third party software, as well as technical assistance related to day-to-day administration of the local area network.
  - D. Consultation and coordination with other SANBAG consultants and/or vendors related to third party software and systems which are to be integrated with the SANBAG network, as specifically authorized by SANBAG.
  - E. Consultation specified in items A through C above shall be provided in concert with and include periodic on-site consultation, training, and management assistance by Ted Hoisington and/or other TH Enterprises staff at SANBAG offices, as well as off-site work provided by Ted Hoisington and/or TH Enterprise staff insure effective planning, management, and project implementation on the SANBAG network.
- II. The following additional services may be requested by SANBAG:
  - A. Special services related to customization of TH Enterprise software specific to SANBAG needs at the option of and upon specific authorization by SANBAG.
  - B. Software and hardware maintenance services, on-line computer assistance and maintenance, or other services exceeding the amounts provided for in this Agreement, as elected solely at the discretion and specific authorization of SANBAG.

If requested, the additional services shall result in additional charges not included in this Agreement and shall be provided at or below the hourly rate published by TH Enterprises or as negotiated in a separate work order.

**CONTRACT COSTS**

<b>Fiscal Year →</b>	<b>2009-2010</b>
<b>Management</b> - 192 hours @ \$190.625/hr	\$36,600
<b>Technical</b> (CNE, Programming, Project Mgmt.) – 660 hours @ \$154/hr (\$101,640) plus 108 hours @ \$154/hr for EDEN support (\$16,632)	\$ 118,272
<b>Expenses</b> - \$ 225 per day plus actual travel expenses.	\$24,000
<b>TOTALS</b>	<b>178,872</b>
<b>Total Contract not to exceed \$178,172</b>	

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 6

**Date:** April 8, 2009

**Subject:** Disadvantaged Business Enterprise (DBE) Race Neutral and Race Conscious Program

**Recommendation:** \*

- 1.) Approve Amendment No. 2 to Contract A06071-2, with the California Department of Transportation relative to the Disadvantaged Business Enterprise (DBE) Program Plan Implementation with no cost implications.
- 2.) Approve change of DBE Liaison from Deborah Robinson Barmack to Duane A. Baker.

**Background:**

- 1.) Due to the results of a recent Caltrans Availability and Disparity Study local agencies receiving state or federal funds are required to split out their Annual Anticipated DBE Percentage Level (AADPL) into Race Neutral and Race Conscious portions. The Race Conscious portion of the AADPL is limited to the four identified Underutilized DBE (UDBE) groups: African American, Asian Pacific American, Native American and Women.

The California Department of Transportation (Caltrans) received approval on March 4, 2009 from the Federal Highway Administration (FHWA) to immediately implement its Federal Fiscal Year 2009 Disadvantaged Business Enterprise (DBE) Goal and Methodology. The 2009 Goal and Methodology

\*

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

ADM0904A-emp.docx  
Attachment:  
ADM0904A-emp.pdf  
A06071-2.doc  
ISF09

provides for a 6.75 percent race-conscious goal and a 6.75 percent race-neutral goal for an overall 13.5 percent program goal.

In his letter of March 26, 2009, Caltrans Director Will Kempton has asked all local agencies in California to immediately begin transitioning to the new Race-Conscious Disadvantaged Business Enterprise Program (RC DBE). Although the implementation date is June 2, 2009, he has asked all local agencies to implement the RC DBE provisions, to the greatest extent possible, within 60 days of apportionment.

In addition, with the recent enactment of the American Recovery and Reinvestment Act (ARRA) of 2009, there is great concern that project work funded through ARRA meets the 13.5 percent goal for DBE participation. FHWA has indicated that failure to implement the overall goal and contract goals could result in the imposition of sanctions authorized by 23 Code of Federal Regulation (CFR) section 1.36. Those sanctions may include withholding federal funds, withholding approval of projects, or other action FHWA deems appropriate under the circumstances.

In a March 4, 2009 letter, Director Kempton identified a change needed in contracts. "Under the new RC DBE Program, local agencies must incorporate the new race conscious contract specifications into all federal-aid consultant and construction contracts." A copy of his letter is attached as Exhibit "A" for reference.

Caltrans Division of Local Assistance stated that local agency contracts will be affected in the following areas: Overall statement DBE goal and methodology has both race conscious and race neutral components; there is a need to continue to implement race neutral measures; contract goals have been reinstated pertaining to race conscious measures; Good Faith Effort has been reinstated in meeting contract goals and in substitutions during contract administration; contract goals and good faith effort will be limited to UDBEs only; and all DBE participation (including Hispanic and Sub Continent Asian participation) is counted toward the Race Neutral portion of the overall DBE goal.

The Board approved Contract No. 06071 in June 2006 and modified on September 2007 to acknowledge SANBAG's Race Neutral Program. Attached as Exhibit "B" is Amendment 2 to the Contract with the updated

“California Department of Transportation Disadvantaged Business Enterprise Implementation Agreement” to reflect SANBAG’s adoption and implementation the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan as it pertains to local agencies.

2.) Duane Baker will be taking over the responsibilities of the DBE Liaison from the previous DBE Liaison, Deborah Barmack. It is SANBAG’s responsibility to formally notify Caltrans of this change and this will be done at the same time we provide the amended Exhibit 9-A to them confirming our adoption of a Race-conscious/Race-neutral DBE Program.

**Financial Impact:** This item has no direct impact on the adopted budget. There are significant cost implications to SANBAG associated with compliance with the Caltrans DBE requirements which would place all federal funds associated with SANBAG’s projects in jeopardy. Staff activities associated with this item are consistent with the adopted budget.

**Reviewed By:** This contract was originally reviewed by Legal Counsel. The recommended amendment will be submitted for additional review to the Administrative Policy Committee on April 8, 2009. It will be submitted for approval to the Board of Directors on May 6, 2009.

**Responsible Staff:** Ellen Pollema, Transportation Planning Specialist

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF LOCAL ASSISTANCE – M.S. 1

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 653-1776

FAX (916) 654-2409

TTY 711



*Flex your power!  
Be energy efficient!*

March 4, 2009

TO: ALL CITIES AND COUNTIES IN CALIFORNIA  
METROPOLITAN PLANNING ORGANIZATIONS  
REGIONAL TRANSPORTATION PLANNING AGENCIES

Dear Directors:

Re: Mandatory Race Conscious DBE Program

The Federal Highway Administration (FHWA) has approved the California Department of Transportation's 2009 Disadvantaged Business Enterprise (DBE) Annual Overall Goal. FHWA's approval requires the immediate implementation of the new DBE Program that includes a Race Conscious component (RC DBE Program). Effective immediately the California Department of Transportation (Caltrans) and local agencies receiving federal-aid funds must begin transitioning to the new RC DBE Program.

### **Transition Period**

Local agencies may have until June 2, 2009 to transition to the newly approved RC DBE Program. This allows local agencies until June 2, 2009, to adopt and execute the new RC DBE Program and allows projects authorized to proceed under the old Race Neutral (RN) DBE program to proceed to contract award. As soon as possible but before June 2, 2009, local agencies must adopt and execute a new *California Department of Transportation DBE Program Implementation Agreement* (DBE Implementation Agreement). Upon execution of the new DBE Implementation Agreement, local agencies shall proceed under the new RC DBE Program. Under the new RC DBE Program, local agencies must incorporate the new race conscious contract specifications into all federal-aid consultant and construction contracts. These specifications are incorporated in the new contract boilerplate language referenced below.

### **Impacts to Federal-Aid Projects**

- **ALL CONTRACTS AWARDED AFTER June 2, 2009 SHALL INCLUDE RC DBE REQUIREMENTS (i.e. contract goals, good faith efforts).**
- **Any project that receives Authorization to Proceed under the old RN DBE requirements must award the contract by June 2, 2009.**
- **Any Authorization to Proceed received under the old RN DBE requirements that does not meet the June 2, 2009 contract award deadline, shall be re-evaluated.**

*"Caltrans improves mobility across California"*

**Local agencies must resubmit their projects to Caltrans for approval to ensure compliance with the new RC DBE requirements prior to bid opening. Authorizations to Proceed will be withdrawn if projects do not comply with the new RC DBE requirements.**

- **Contracts awarded after June 2, 2009, without meeting the new RC DBE requirements will be ineligible for federal funding.**
- **Local agencies' Requests for Authorization to Proceed for projects under the old RN DBE Program will continue to be received and processed subject to the preceding conditions.**
- **In submitting Requests for Authorization to Proceed for projects under the old RN DBE Program, the project sponsors need to be mindful of the minimum advertising period of three weeks, and the time it takes for bid opening and contract approval by their governing bodies.**
- **Requests for Authorization to Proceed with the new RC DBE requirements may be submitted for processing and have funds obligated/authorized before the District Local Assistance Engineer (DLAE) receives the new DBE Implementation Agreements; however, projects shall not be awarded prior to the approval of the new DBE Implementation Agreement by the DLAE.**
- **Existing federal-aid project contracts awarded with race neutral requirements shall continue under the old RN DBE Program.**

#### **Contract Goals Limited to Underutilized Disadvantaged Business Enterprises (UDBEs)**

Contract goals and the Good Faith Effort requirement are reinstated; however, they are limited to Underutilized DBEs (UDBEs). The findings from the Caltrans Availability and Disparity Study revealed statistically significant underutilization in four of the six groups presumed to be disadvantaged as defined by the Code of Federal Regulations, 49 CFR Part 26. The four groups are African American, Asian Pacific American, Native American and Women. Contract goals will be limited to these four groups of UDBEs. Use of the UDBEs above the contract goal and/or use of DBEs owned and controlled by Hispanic Males or Subcontinent Asian Males shall be reported and counted toward the Race Neutral portion of the local agencies' overall Anticipated Annual DBE Percentage Levels (AADPLs).

#### **Old RN and New RC DBE Forms, Boilerplate Specifications**

For contracts that will be advertised and awarded under the old RN DBE Program, the appropriate DBE forms will be available on the Local Assistance Website:

[http://www.dot.ca.gov/hq/LocalPrograms/DBE\\_CRLC.html](http://www.dot.ca.gov/hq/LocalPrograms/DBE_CRLC.html)

You may download the new DBE Implementation Agreement and consultant and construction contract boilerplate language from the Local Assistance website at:

<http://www.dot.ca.gov/hq/LocalPrograms/>

*"Caltrans improves mobility across California"*

For specific guidance on federal-aid consultant and construction contracts and access to the new DBE forms, please refer to the enclosures addressing consultant contracts and construction contracts.

**Local Assistance Procedures Manual (LAPM)**

The Division of Local Assistance will be issuing the changes to the LAPM. Until the LAPM changes are issued, the updated forms, guidance, and Frequently Asked Questions are available on the Caltrans, Division of Local Assistance (DLA) website:

<http://www.dot.ca.gov/hq/LocalPrograms/>

**Annual Anticipated DBE Percentage Levels (AADPL)**

Local agencies are not required to resubmit previously approved 2008/2009 AADPLs to include segregated Race Conscious (RC) and Race Neutral (RN) components; **however, contract goals shall be calculated and placed on all contracts after the local agency has executed the new DBE Implementation Agreement.** The 2009/2010 AADPLs shall report segregated RC and RN anticipated percentage level components. Guidance for AADPL calculation under the new RC DBE Program is available at the Caltrans DLA website under "Announcements."

If you have questions, please refer to the Frequently Asked Questions posted on the Caltrans, DLA website: <http://www.dot.ca.gov/hq/LocalPrograms/> before contacting your DLAE.

Sincerely,



DENIX D. ANBIAH, Chief  
Division of Local Assistance

Enclosures

c: Local Agency DBE Liaison Officers



## Enclosure 2

**Construction Contracts:** Contracts to be advertised and awarded before the execution of the new DBE Implementation Agreement and before June 2, 2009, may proceed to advertise and award using Race Neutral boilerplate specifications and Race Neutral LAPM Exhibits 12-D, 15-A, 15-B, 15-G, 15-I, 15-L and 17-F. All other contracts shall use the new Race Conscious boilerplate specifications and the following new Race Conscious LAPM Exhibits currently located on the Caltrans Local Assistance website under "Announcements:"

- Exhibit 3-D: Request for Authorization to Proceed with Construction
- Exhibit 3-E: Request for Authorization to Proceed Data Sheet(s)
- Exhibit 12-D: PS&E Checklist
- Exhibit 15-A: Local Agency Construction Contract Administration Checklist
- Exhibit 15-B: Resident Engineer's Construction Contract Administration Checklist
- Exhibit 15-G(1): Local Agency Bidder/Proposer UDBE Commitment (Construction Contracts)
- Exhibit 15-G(2): Local Agency Bidder/Proposer DBE Commitment (Construction Contracts)
- Exhibit 15-H: Good Faith Efforts Submittal
- Exhibit 15-I: Local Agency Bid Opening Checklist
- Exhibit 15-L: Local Agency Contract Award Checklist
- Exhibit 17-F: Final Report Utilization of DBE, First-Tier Subcontractors



## Enclosure 1

**Consultant Contracts:** Contracts awarded prior to June 2, 2009, whose authorizations were granted prior to the adoption of the Race Conscious DBE Implementation Agreement may follow the Race Neutral DBE Program. All contracts awarded after June 2, 2009 must follow the Race Conscious DBE Program and use the following new Race Conscious LAPM Exhibits currently located on the Caltrans Local Assistance website under "Announcements."

- Exhibits 3-A, 3-B, or 3-C: Request to Proceed with Preliminary Engineering, Right-of-Way, or Utility Relocation
- Exhibit 3-E: Request for Authorization to Proceed Data Sheet(s)
- Exhibit 10-C: Consultant Agreement Reviewers Checklist
- Exhibit 10-D: Consultant Agreement Outline
- Exhibit 10-I: Notice to Bidders/Proposers DBE Requirements and Instructions
- Exhibit 10-J: Standard Agreement for Subcontractor/DBE Participation
- Exhibit 10-O(1): Local Agency Bidder/Proposer UDBE Commitment (Consultant Contracts)
- Exhibit 10-O(2): Local Agency Bidder/Proposer DBE Commitment (Consultant Contract)
- Exhibit 17-F: Final Report Utilization of DBE, First-Tier Subcontractors

**SANBAG Contract No. A06071-2**

by and between

California Department of Transportation

and

San Bernardino Associated Governments

for

Disadvantaged Business Enterprise Race Neutral Implementation Agreement**FOR ACCOUNTING PURPOSES ONLY**

<input type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input type="checkbox"/> Original
<input type="checkbox"/> Receivable		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Amendment

Notes: This contract has no dollar amount

Original Contract: \$ <u>0.00</u>	Previous Amendments Total: \$ _____
Contingency Amount: \$ _____	Previous Amendments Contingency Total: \$ _____
	Current Amendment: \$ _____
	Current Amendment Contingency: \$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

**Contract TOTAL → \$ 0.00**

Please include funding allocation for the original contract or the amendment ↴

<u>Task</u>	<u>Cost Code</u>	<u>Funding Sources</u>	<u>Amounts</u>
1 <u>09INDI</u>	_____	1 _____	\$ <u>0.00</u>
2 _____	_____	2 _____	\$ _____
3 _____	_____	3 _____	\$ _____
4 _____	_____	4 _____	\$ _____

Original Board Approved Contract Date: 6/07/06 Contract Start: 06/07/06 Contract End: \_\_\_\_\_New Amend. Approval (Board) Date: 05/06/09 Amend. Start: 06/01/09 Amend. End: \_\_\_\_\_**If this is a multi-year contract/amendment, please allocate costs among fiscal years:**

Fiscal Year: _____ \$ _____	Fiscal Year: _____ \$ _____	Fiscal Year: _____ \$ _____
--------------------------------	--------------------------------	--------------------------------

Is this consistent with the adopted budget? ☒ Yes ☐ NoIf no, has the budget amendment been submitted? ☐ Yes ☐ No**CONTRACT MANAGEMENT****Please mark an "X" next to all that apply:**
☒ Intergovernmental    ☐ Private    ☐ Non-Local    ☐ Local    ☒ Partly Local
Disadvantaged Business Enterprise: ☐ No ☐ Yes \_\_\_\_\_%Task Manager: **Duane A. Baker**Contract Manager: **Duane A. Baker**

Task Manager Signature

Date

Contract Manager Signature

Date

Chief Financial Officer Signature

Date

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# **CALIFORNIA DEPARTMENT OF TRANSPORTATION DISADVANTAGED BUSINESS ENTERPRISE IMPLEMENTATION AGREEMENT**

For the San Bernardino Associated Governments (SANBAG), hereinafter referred to as "RECIPIENT."

## **I Definition of Terms**

The terms used in this agreement have the meanings defined in 49 CFR § 26.5.

## **II OBJECTIVE/POLICY STATEMENT (§26/1. 26/23)**

The RECIPIENT intends to receive federal financial assistance from the U. S. Department of Transportation (DOT) through the California Department of Transportation (Caltrans), and as a condition of receiving this assistance, the RECIPIENT will sign the California Department of Transportation Disadvantaged Business Enterprise Program Implementation Agreement (hereinafter referred to as Agreement). The RECIPIENT agrees to implement the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan (hereinafter referred to as the DBE Program Plan) as it pertains to local agencies. The DBE Program Plan is based on U.S. Department of Transportation (DOT), 49 CFR, Part 26 requirements.

It is the policy of the RECIPIENT to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also their policy:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts.
- To create a level playing field on which DBE's can compete fairly for DOT-assisted contracts.
- To ensure that their annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.
- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs.
- To help remove barriers to the participation of DBEs in DOT-assisted contracts.
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

## **III Nondiscrimination (§26.7)**

RECIPIENT will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR, Part 26 on the basis of race, color, sex, or national origin. In administering the local agency components of the DBE Program Plan, the RECIPIENT will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program Plan with respect to individuals of a particular race, color, sex, or national origin.

#### **IV Annual DBE Submittal Form (§26.21)**

The RECIPIENT will provide to the Caltrans District Local Assistance Engineer (DLAE) a completed *Local Agency DBE Annual Submittal Form* (Exhibit 9-B) by June 1 of each year for the following Federal Fiscal Year (FFY). This form includes an Annual Anticipated DBE Participation Level (AADPL), methodology for establishing the AADPL, the name, phone number, and electronic mailing address of the designated DBELO, and the choice of Prompt Pay Provision to be used by the RECIPIENT for the following FFY.

#### **V Race-Neutral Means of Meeting the Overall Statewide Annual DBE Goal (§26.51)**

RECIPIENT must meet the maximum feasible portion of its AADPL by using race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).

Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);
2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);
3. Providing technical assistance and other services;
4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);
5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;
6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of types of work, handle increasingly significant projects, and achieve eventual self-sufficiency;
7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has historically been low;
8. Ensuring distribution of your DBE directory, through print and electronic means, to the widest feasible universe of potential prime contractors; and
9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

## **VI Race Conscious Means of Meeting the Overall Statewide Annual DBE Goal (§26.51(d))**

RECIPIENT must establish contract goals for Underutilized Disadvantaged Business Enterprises (UDBEs) to meet any portion of your AADPL you do not project being able to meet using race-neutral means. UDBEs are limited to these certified DBEs that are owned and controlled by African Americans, Native Americans, Women, and Asian Pacific Americans.

## **VII Quotas (§26.43)**

RECIPIENT will not use quotas or set-asides in any way in the administration of the local agency component of the DBE Program Plan.

## **VIII DBE Liaison Officer (DBELO) (§26.25)**

RECIPIENT has designated a DBE Liaison Officer. The DBELO is responsible for implementing the DBE Program Plan, as it pertains to the RECIPIENT, and ensures that the RECIPIENT is fully and properly advised concerning DBE Program Plan matters. The DBELO has a support staff of two support personnel who devote a portion of their time to the program. The name, address, telephone number, electronic mail address, and an organization chart displaying the DBELO's position in the organization are found in Attachment A to this Agreement. This information will be updated annually and included on the DBE Annual Submittal Form.

The DBELO is responsible for developing, implementing, and monitoring the RECIPIENT's requirements of the DBE Program Plan in coordination with other appropriate officials. Duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Works with all departments to determine projected Annual Anticipated DBE Participation Level.
4. Ensures that bid notices and requests for proposals are made available to DBEs in a timely manner.
5. Analyzes DBE participation and identifies ways to encourage participation through race-neutral means.
6. Participates in pre-bid meetings.
7. Advises the CEO/governing body on DBE matters and DBE race-neutral issues.
8. Provides DBEs with information and recommends sources to assist in preparing bids, obtaining bonding and insurance.
9. Plans and participates in DBE training seminars.
10. Provides outreach to DBEs and community organizations to fully advise them of contracting opportunities.

## **IX Federal Financial Assistance Agreement Assurance (§26.13)**

RECIPIENT will sign the following assurance, applicable to and to be included in all DOT-assisted contracts and their administration, as part of the program supplement agreement for each project.

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR, Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.). [Note – this language is to be used verbatim, as it is stated in §26.13(a).]

## **X DBE Financial Institutions (§26.27)**

It is the policy of the RECIPIENT to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contracts to make use of these institutions.

Information on the availability of such institutions can be obtained from the DBELO. The Caltrans' Disadvantaged Business Enterprise Program may offer assistance to the DBELO.

## **XI Directory (§26.31)**

RECIPIENT will refer interested persons to the Unified Certification Program DBE directory available from the Caltrans Disadvantaged Business Enterprise Program's website at [www.dot.ca.gov/hq/bep](http://www.dot.ca.gov/hq/bep).

## **XII Required Contract Clauses (§§26.13, 26.29)**

RECIPIENT ensures that the following clauses or equivalent will be included in each DOT-assisted prime contract:

### **A. CONTRACT ASSURANCE**

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate.

[Note – This language is to be used verbatim, as is stated in §26.13(b). See Caltrans Sample Boiler Plate Contract Documents on the Internet at [www.dot.ca.gov/hq/LocalPrograms](http://www.dot.ca.gov/hq/LocalPrograms) under "Publications."]

## **B. PROMPT PAYMENT**

### **Prompt Progress Payment to Subcontractors**

The local agency shall require contractors and subcontractors to be timely paid as set forth in Section 7108.5 of the California Business and Professions Code concerning prompt payment to subcontractors. The 10-days is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over 30 days may take place only for good cause and with the agency's prior written approval. Any violation of Section 7108.5 shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies of that Section. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

### **Prompt Payment of Withheld Funds to Subcontractors**

The local agency shall ensure prompt and full payment of retainage from the prime contractor to the subcontractor within thirty (30) days after the subcontractor's work is satisfactorily completed and accepted. This shall be accompanied by including either (1), (2), or (3) of the following provisions [local agency equivalent will need Caltrans approval] in their federal-aid contracts to ensure prompt and full payment of retainage [withheld funds] to subcontractors in compliance with 49 CFR 26.29.

1. No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
2. No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

3. The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

### **XIII Local Assistance Procedures Manual**

The RECIPIENT will advertise, award and administer DOT-assisted contracts in accordance with the most current published Local Assistance Procedures Manual (LAPM).

### **XIV Transit Vehicle Manufacturers (§ 26.49)**

If FTA-assisted contracts will include transit vehicle procurements, RECIPIENT will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on transit vehicle procurements, to certify that it has complied with the requirements of 49 CFR Part 26, Section 49.

### **XV Bidders List (§26.11(c))**

The RECIPIENT will create and maintain a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on its DOT-assisted contracts. The bidders list will include the name, address, DBE/nonDBE status, age, and annual gross receipts of the firm.

### **XVI Reporting to the DLAE**

RECIPIENT will promptly submit a copy of the Local Agency Bidder/Proposer-UDBE Commitment (Consultant Contract), (Exhibit 10-O(1) "Local Agency Bidder/Proposer-DBE Commitment (Consultant Contract)") or Exhibit 15-G(1) "Local Agency Bidder-UDBE Commitment (Construction Contract) to the DLAE at the time of award of the consultant or construction contracts.

RECIPIENT will promptly submit a copy of the Local Agency Bidder-DBE Information (Exhibit 15-G(2) "Local Agency Bidder-DBE (Construction Contracts) – Information" or Exhibit 10-O(2) "Local Agency Proposer/Bidder-DBE (Consultant Contracts)-Information" of the LAPM) to the DLAE at the time of execution of consultant or construction contract.

RECIPIENT will promptly submit a copy of the Final Utilization of DBE participation to the DLAE using Exhibit 17-F "Final Report – Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subcontractors" of the LAPM immediately upon completion of the contract for each consultant or construction contract.

**XVII Certification (§26.83(a))**

RECIPIENT ensures that only DBE firms currently certified by the California Unified Certification Program will participate as DBEs on DOT-assisted contracts.

**XVIII Confidentiality**

RECIPIENT will safeguard from disclosure to third parties, information that may reasonably be regarded as confidential business information consistent with federal, state, and local laws.

This California Department of Transportation's Disadvantaged Business Enterprise Program Implementation Agreement is accepted by:

SAN BERNARDINO  
ASSOCIATED GOVERNMENTS

CALTRANS

By: \_\_\_\_\_  
Gary C. Ovitt  
President  
SANBAG Board of Directors

By: \_\_\_\_\_  
Patrick Hally, DLAE  
CALTRANS

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Jean Rene Basle  
SANBAG Counsel

Distribution: (1) Original – DLAE  
(2) Signed copy by the DLAE – Local Agency

(Updated: March 4, 2009)

- 
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
- 

## *Minute Action*

AGENDA ITEM: 7

**Date:** April 8, 2009

**Subject:** State and Federal Legislative Update

**Recommendation:**\* Receive report.

**Background:** *State Legislative Update*

The California Transit Association held a Sacramento Lobby Day on March 25, 2009. The objective for the lobby day was to gain support for the restoration of the State Transit Assistance (STA) funds, which are used to fund transit operations costs, but was eliminated in the state's budget until at least 2013; support AB 729 (Evans), a bill that would provide design-build authority for transit facilities; and to support AB 1072 (ENG), a bill that would provide greater flexibility to use transit planning funds under Proposition 1B. SANBAG's Director of Intergovernmental and Legislative Affairs attended various sessions and voiced support of transit issues consistent to SANBAG's approved State Legislative Program.

Also, Governor Schwarzenegger recently announced the reappointments of Commissioners Jim Ghielmetti and John Joseph Tavaglione to the California Transportation Commission (CTC).

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*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:*

*Second:*

*In Favor:*

*Opposed:*

*Abstained:*

*Witnessed:* \_\_\_\_\_

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CTC later announced the selection of Bimla Rhinehart as the new executive director, replacing John Barna. Bimla has most recently served as the Chief of the Caltrans Division of Right of Way.

### *Federal Legislative Update*

The Fiscal Year (FY) 2009 Omnibus Appropriations bill, which incorporates nine of the 12 spending bills that were not enacted last year -- including the Transportation, Housing and Urban Development (THUD) bill, which provides federal funding for SANBAG's transportation programs -- was adopted by Congress and signed into law by President Obama. In addition to honoring funding formulas stipulated by the current surface transportation authorization bill, known as the Safe, Accountable, Flexible Transportation Equity Act-Legacy for Users (SAFETEA-LU), the San Bernardino County region is authorized to receive discretionary funds for priority projects (please see Attachment #1).

Also, President Obama recently unveiled some of his budget priorities for FY 2010 (please see Attachment #2). While the full budget will not be available until the end of April, for transportation, one of the most concerning issues raised so far was the Administration's proposal to no longer score contract authority as budget authority for major transportation infrastructure programs and instead suggest that the government score the obligation limitations that are imposed on transportation programs in the annual appropriations bills approved by Congress. In response to this proposal, at least 14 members of Congress, including Senator Boxer, signed a letter requesting the President to repeal this proposal.

### *Coordination for Federal Stimulus Funds*

SANBAG thanks its representatives in the state Legislature and in Congress for signing joint-delegation letters to support the I-215 Widening Project as a priority for federal funds provided by America's Recovery and Reinvestment Act of 2009 (ARRA).

With regards to a \$1.5 billion discretionary fund for transportation created by ARRA, U.S. Department of Transportation (USDOT) has yet to develop criteria to determine project eligibility. SANBAG continues to attend staff-level meetings regarding USDOT's implementation of ARRA and will provide updates to the Board as information become available.

*Recent USDOT Appointments*

The USDOT Maritime Administration has named John Hummer to head its new Northern California Gateway Office in San Francisco. Prior to this appointment, Mr. Hummer served as the State of California's deputy secretary for goods movement in the Business, Transportation, and Housing Agency.

Joel Szabat, originally from Sacramento, California, was named as Deputy Assistant Secretary (DAS) for Transportation Policy in the U.S. Department of Transportation. Szabat was previously a DAS in the department from 2002 through 2006 and then rejoined DOT in January 2008, after eighteen months as Chief of Staff of the Small Business Administration.

***Financial Impact:*** Funding for SANBAG's legislative program is consistent with the adopted SANBAG Budget Task No. 50309000. Funding from the FY09 Omnibus Appropriation bill provides potentially positive impacts on SANBAG's transportation programs.

***Reviewed By:*** This item is scheduled for review by the Administrative Committee on April 8, 2009.

***Responsible Staff:*** Jennifer Franco, Director Intergovernmental and Legislative Affairs

# SAN BERNARDINO COUNTY DELEGATION TRANSPORTATION EARMARKS

## Omnibus Appropriations Act of 2009

*San Bernardino Associated Governments (SANBAG) projects are highlighted.*

Requester(s)	Project Description	Program	Amount
<b>Baca</b>	<b><i>I-10 Cherry and I-10 Citrus Interchange Reconstruction</i></b>	<b><i>Interstate Maintenance</i></b>	<b><i>\$475,000</i></b>
Baca	Transit Station Expansion Project (Metrolink Parking Lot), Rialto	Bus and Bus Facilities	\$285,000
Baca	I-10 at Grove Avenue and Fourth Street Interchange and Grove Avenue Corridor	Interstate Maintenance	\$475,000
<b>Dreier</b>	<b><i>Rancho Cucamonga, I-15 Baseline Road</i></b>	<b><i>Interstate Maintenance</i></b>	<b><i>\$712,500</i></b>
Dreier	Monrovia Transit Village Improvements	Bus and Bus Facilities	\$237,500
Dreier	Transit-Oriented Development along Gold Line Foothill Extension	Surface Transportation Priorities	\$237,500
Dreier (Shared with Rep. Schiff, Rep. Napolitano, Rep. Solis, & Senator Boxer)	Purchase CNG Buses for Foothill Transit	Bus and Bus Facilities	\$1,187,500
Dreier (Shared with Rep. Schiff, Dreier, & Rep. Solis)	San Gabriel Trench Grade Separation Project	Grade Crossings on Designated High Speed Corridors	\$1,235,000
Dreier (Shared with Rep. Schiff & Rep. Solis)	Alameda Corridor East Grade Separations	Surface Transportation Priorities	\$570,000
<b>Lewis</b>	<b><i>Needles Highway</i></b>	<b><i>Federal Lands (Public Lands Highways)</i></b>	<b><i>\$3,800,000</i></b>
<b>Lewis</b>	<b><i>Ranchero Road Corridor Project</i></b>	<b><i>Interstate Maintenance</i></b>	<b><i>\$650,750</i></b>
Lewis	Portero Boulevard/SR 60 Interchange	Surface Transportation Priorities	\$855,000
Lewis	Environmental Design for I-215/University Parkway Project	Interstate Maintenance	\$508,250
<b>McKeon</b>	<b><i>Lenwood Road Grade Separation Project</i></b>	<b><i>Surface Transportation Priorities</i></b>	<b><i>\$237,500</i></b>
McKeon	Rancho Vista Blvd (Ave P) Project, Palmdale	Surface Transportation Priorities	\$475,000
McKeon (Shared with Sen. Boxer)	Santa Clarita Cross Valley Connector	Surface Transportation Priorities	\$570,000
McKeon	Palmdale Transportation Center Metrolink Platform Extension	Bus and Bus Facilities	\$380,000
Gary Miller	SR-91 Congestion Relief Project, Orange County	Interstate Maintenance	\$237,500
Gary Miller	Antonio Parkway Rehabilitation, Rancho Santa Margarita	Transportation, Community, and System Preservation	\$95,000

# A NEW ERA OF RESPONSIBILITY: RENEWING AMERICA'S PROMISE

## The U.S. Department of Transportation 2010 Budget

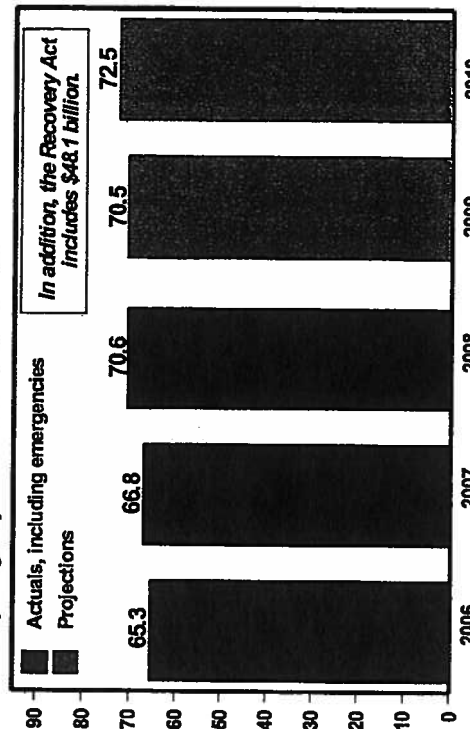
"We need to remake our transportation system for the 21st Century. Doing so will not only help us meet our energy challenge by building more efficient cars, buses, and subways or make Americans safer by rebuilding our crumbling roads and bridges -- it will create millions of new jobs in the process."

-- President Barack Obama

The President's Fiscal Year 2010 Budget includes \$72.5 billion for the Department of Transportation. The Administration intends to work with Congress to reform surface transportation programs to improve the system's financial viability, enhance transit options, and generate better investments to reduce congestion and improve safety. Key priorities for the Administration include promoting public transit and better targeted spending to help communities explore innovative solutions like road pricing to reduce congestion. The Budget advances infrastructure modernization initiatives like Next Generation Air Transportation System (NextGen) and a new federal commitment to high speed rail -- a priority that also received funding from the Recovery Act.

## Department of Transportation

Discretionary budgetary resources in billions of dollars



Note: In 2010, and outyear estimates, surface transportation programs grow by baseline inflation factors. See above for a more detailed explanation of the administration's position regarding surface transportation reauthorization.

Information prepared by the White House Office of Management and Budget

Peter R. Orszag, Director

[www.whitehouse.gov/omb](http://www.whitehouse.gov/omb)

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## The U.S. Department of Transportation Budget Highlights

### TARGETED SURFACE TRANSPORTATION FUNDING AND INNOVATIVE SOLUTIONS

**Targets surface transportation spending and emphasizes options to make our communities more livable and less congested.** Surface transportation programs are at a crossroads. The current framework for financing and allocating surface transportation investments is not financially sustainable; nor does it effectively allocate resources to meet our critical national needs. The Administration intends to work with Congress to reform surface transportation programs both to put the system on a sustainable financing path and to make investments in a more sustainable future, enhancing transit options and making our economy more productive and our communities more livable. Further, our surface transportation system must generate the best investments to reduce congestion and improve safety. To do so, the Administration will emphasize the use of economic analysis and performance measurement in transportation planning. This will ensure that taxpayer dollars are better targeted and spent.

### HIGH-SPEED RAIL NETWORKS

**Initiates a new federal commitment to high speed rail.** To provide Americans a 21st Century transportation system, the Administration proposes an 5 year \$5 billion high-speed rail State grant program. This proposal marks a new federal commitment to give the traveling public a practical and environmentally sustainable alternative to flying or driving. Directed by the states, this investment will lead to the creation of several high-speed rail corridors across the country linking regional population centers.

### MODERNIZES AIR TRAFFIC CONTROL

**Improves Aviation Transportation.** The Budget provides \$800 million for the Next Generation Air Transportation System (NextGen), a long-term effort to improve the efficiency, safety, and capacity of the air traffic control system. The 2010 Budget supports moving from a ground-based radar surveillance system to a more accurate satellite-based surveillance system; development of more efficient routes through the airspace; and improvements in aviation weather information.

**Improves rural access to the aviation system.** The Administration is committed to maintaining small communities' access to the National Airspace System. The Budget provides a \$55 million increase over the 2009 level to DOT to fulfill current program requirements as demand for subsidized commercial air service increases. However, the program that delivers this subsidy is not efficiently designed. Through the budget process, the Administration intends to work the Congress to develop more sustainable program model that will fulfill its commitment while enhancing convenience for travelers and improving cost effectiveness.

### IMPROVES TRANSPARENCY

**Making budgetary treatment of transportation programs more transparent.** To more transparently display program resources, the Administration proposes changing the budgetary treatment of transportation programs to show both budget authority and outlays as discretionary. For 2009, the discretionary budget authority top line would be increased by approximately \$53 billion, increasing the Department of Transportation budget authority total from \$17 billion under the typical presentation to \$70 billion. Similar budget authority adjustments would be made for each out year. The change would not affect outlays or the deficit or surplus.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority  
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

## *Minute Action*

AGENDA ITEM: 8

**Date:** April 8, 2009

**Subject:** Surface Transportation Reauthorization Update

**Recommendation:**\* Receive Report

**Background:** The current transportation reauthorization bill, known as the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) prescribes annual federal funding levels for transportation during Fiscal Years (FY) 2003 – 2009, and will expire on September 30, 2009. Chairman Oberstar and Ranking Member Mica have publically said that they want the Transportation and Infrastructure Committee to markup a new bill for surface transportation authorization before the end of May.

During recent meetings with Jim Kolb, staff director of the House Transportation and Infrastructure Subcommittee on Highways and Transit, SANBAG has received information about ongoing efforts to draft the new bill. The current program, SAFETEA-LU, has lost creditability to deliver projects and the state of Highway Trust Fund, which is the nearly bankrupt revenue source for many transportation programs, is an issue, said Kolb. Committee staff is evaluating the possibility of making significant changes to the programmatic framework for the new authorization bill, which may include performance measures, to help assure the delivery of national priorities. Ultimately, the Committee is looking to

\*

*Approved*  
*Administrative Committee*

*Date:* \_\_\_\_\_

*Moved:* \_\_\_\_\_ *Second:* \_\_\_\_\_

*In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_ *Abstained:* \_\_\_\_\_

*Witnessed:* \_\_\_\_\_

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quantifying “x” number of projects will be delivered within the next five to six years.

Likewise, during meetings with Kathy Dedrick, a senior policy director for the Senate Environmental and Public Works Committee, SANBAG received information that the Senate will soon draft its own version of the next transportation reauthorization bill. Typically, the Senate version of the transportation reauthorization bill is released after the House version of the bill.

In anticipation of a call for projects for the new reauthorization bill, Representative Gary Miller has contacted transportation stakeholders within his district to provide him with information by Friday, April 3, 2009 concerning potential transportation projects for reauthorization. As part of this process, Rep. Miller requested that the completion of a project questionnaire (please see Attachment #1), support letters from your organization and from the community for any (and all) projects that are being submitted, and completion of an earmark disclosure document.

In response to Rep. Miller’s request, SANBAG’s approved projects for reauthorization include projects on along the I-15 corridor, projects along the I-10 Corridor, projects along the Alameda Corridor East, a public-private-partnership project and transit projects. SANBAG will be contacting member jurisdictions to help provide support for these projects. Additionally, SANBAG will continue to provide support for projects approved by the Board as part of its reauthorization strategy (please see Attachment #2).

### ***Review***

SANBAG adopted principles and projects for its reauthorization strategy in February 2009. Prior to approving this strategy, SANBAG established a guideline to identify potential projects for reauthorization (please see Attachment #3) reviewed proposals during policy committees during December and January 2009.

***Financial Impact:*** Funding for SANBAG’s legislative program is consistent with the adopted SANBAG Budget Task No. 50309000. This item might have a potential positive impact on SANBAG’s transportation programs.

***Reviewed By:*** This item is scheduled for review by the Administrative Committee on April 8, 2009

***Responsible Staff:*** Jennifer Franco, Director of Intergovernmental and Legislative Affairs

ADM0904-JF.docx  
Attachments:  
ADM0904B1-JF.doc  
ADM0904B2-JF.doc  
ADM0904B3-JF.doc  
50309000

## ATTACHMENT #1

### Questionnaire

#### INSTRUCTIONS:

Please answer every question completely. Incomplete questionnaires will result in the delay of the project request and Congressman Miller may not be able to submit your request for Committee Approval. In addition to the materials requested as part of the questionnaire, please provide a separate letter of support for the request from the requesting entity for each project requested. Each project request must be submitted with its own questionnaire, letters of support, and earmark certification form. Do not combine projects into one letter or form. *This questionnaire and any materials provided to Congressman Miller's office may be made public at anytime during the request process.*

**Project Name:**

**Requesting Entity:**

**Entity Address:**

**Entity Staff Contact Person (Name, Phone, Email):**

**Official Responsible for Request:**

**Lobbyist/Consultation Contact Person (Name, Phone, Email, Mailing Address):**

#### PROJECT DESCRIPTION:

1. Describe the total project and include a map of the project location.
2. Is it part of a larger system of projects and if so describe the larger system?
3. Please identify the specific segment for which project funding is being sought, including terminus points.
4. Describe specifically the circumstances within the area that created a need for the project.
  - o *Example: A new school and senior center was recently built along Columbia Pike creating increased traffic flow during the mornings and afternoons, exacerbating the already heavy rush hour traffic due to the nearby jobs center...*
5. Describe the economic, environmental, congestion mitigation, and safety benefits associated with completion of the project.
6. Does the project have national significance and/or regional significance? Describe.
7. Please describe why funding this project is good use of federal taxpayer funds. In your description, please include the federal nexus for the project including why it is the responsibility of the federal government to fund such a project.

#### PROJECT ELIGIBILITY, PLAN, STATUS, and SUPPORT:

8. If the project is a highways project, identify the State or other qualified recipient responsible for carrying out the project.
9. If the project is a transit project, please identify the name and address of the project sponsor (must be an eligible recipient of Federal transit funds).

10. Is the project eligible for the use of Federal-aid highway or transit funds under Title 23 or Title 49 of the United States Code?
11. If so, what specific programs are you requesting funds from?
12. If the project is a highway or bridge project, is it on the State or National Highway System?
13. Is the project considered by the State and/or regional transportation officials as critical to their needs? Please provide a letter of support from these officials, and if you cannot, explain why not.
14. Is the project supported by the community, region, etc? If so, please provide letters of support for federal funding for the project.
15. Is the project part of the State's long-range plan?
16. Is the project included in the metropolitan and/ or State Transportation Improvement Program(s)?
17. What is the proposed schedule and status of work on the project?
18. What is the current stage of development of the project? (If the project is a transit new start, please specify whether the project is in alternative analysis, preliminary engineering, final design, has been issued a record of decision, under environmental review, or already has a current full funding grant agreement.)
19. Has the proposed project encountered, or is it likely to encounter, any significant opposition or other obstacles? If yes, please describe in detail.

#### **PROJECT COST AND FUNDING HISTORY:**

20. Has the sponsoring entity requested funding for this project from Congressman Miller? If so, please include the funding amounts requested, the year the request was made, and if funding was provided.
21. Has the sponsoring entity requested funding for this project from other Members of Congress or Senators? If so, please include funding amounts requested, the year of each request, the funding amounts received, and staff contacts.
22. What is the total estimated cost of the project?
23. What dollar amount are you requesting in the authorization for this project or segment of a project?
24. Does the sponsoring entity understand that federal funding will likely be spread out over a series of years and will not likely be allocated all at one time?
25. Does the sponsoring entity plan to provide local matching funds if federal law requires? What will be the source of such funds?
26. Will the requested funding for the project be obligated within the next five or six years?

27. Has the project or any portion of the project, already received funding through the State's federal-aid highway or transit formula apportionments or from other Federal, State, or local funds? If yes, how much, from what source, and when was this funding provided? If the funding request is only for a specific segment of a larger project, please also describe the funding sources for other segments or portions of the project.
- *Example: Requested funding is to revitalize Columbia Pike from Glebe Road west to Carlin Springs Road. This project segment has received \$0 from federal, state, and local funding sources. However, the segment of Columbia Pike going east from Glebe to Army Navy Drive has received \$50 million in federal funding from the Surface Transportation Program, \$25 million in state funding, and \$25 million in local funding. The local funding is comprised of 50% developer fees and 50% local sales tax.*
28. Has the project already received or plans to receive funding or support from a private source? If yes, how much and from what source? If the funding request is only for a specific segment of a larger project, please also describe the funding sources for other segments of the project. If this is a joint use project with an outside entity, please describe the use and funding agreement.
- *Example: 50% of the project funding will come from a local match. This local match will be comprised of fees derived from transportation impact fees and developer fees paid by Developer X. In addition, as part of the development agreement, Developer X has agreed to install new traffic lights, new gutters, and new sidewalks along Columbia Pike, including within the project segment area and outside of the project segment.*
29. Has the project received funding in a previous authorization or appropriations act?
30. If the project has received funding in a previous authorization or appropriations act, please cite the act(s) and amount(s) authorized and which Members of Congress supported such funding.

***This questionnaire is complete, the requesting entity has provided all necessary support letters and documents, and is submitting this request for consideration for federal funding.***

Signed: \_\_\_\_\_ (Responsible Official) \_\_\_\_\_ Date: \_\_\_\_\_

## ATTACHMENT #2

### Board Approved SANBAG Reauthorization Requests (\$737 Million)

SANBAG's reauthorization strategy is part of a multi-faceted approach to securing funding and includes the following capital improvement projects. Projects listed below are regionally significant projects that are aligned with National Corridors and Trade Corridors of National Significance. In addition, included are key transit facilities. The board approved reauthorization requests are shown below. Projects that are ***bold and italicized*** have been prioritized within a given corridor.

#### TOTAL I-15 CORRIDOR REQUESTS (\$276 Million) TO INCLUDE:

- ***#1 Priority Request:***  
***Interstate I-15/I-215 Devore Interchange, San Bernardino County***  
***Estimated Total Project Cost: \$369 Million; Requested Authorization: \$151 Million***
- ***#6 Priority Request:***  
***I-15 Mainline Expansion between SR-60 and I-10, San Bernardino County***  
***Estimated Total Project Cost: \$100 Million; Requested Authorization: \$50 Million***
- ***#4 Priority Request:***  
***"The Economic Stimulus Interchanges: I-15/Nisqualli-LaMesa AND I-15/Ranchero Rd"***  
***Estimated Project Cost: \$153 Million (\$93/\$60 Million respectively)***  
***Requested Authorization: \$75 Million***
- I-15/Baseline Road, interchange, Rancho Cucamonga  
Estimated Total Project Cost: \$43 Million
- I-15/Eucalyptus, interchange, Hesperia  
Estimated Total Project Cost: \$50 Million
- I-15/Joshua/Muscatel, interchange, Hesperia  
Estimated Total Project Cost: \$50 Million

#### TOTAL I-10 CORRIDOR REQUESTS (\$120 Million) TO INCLUDE:

- ***#2 Priority Request:***  
***I-10 Mainline High Occupancy Vehicle (HOV) Lanes, between I-215 and SR-210***  
***Estimated Total Project Cost: \$200 Million; Requested Authorization: \$100 Million***
- ***#3 Priority Request:***  
***Interstate 10/Cedar Avenue, interchange, Colton/Rialto***  
***Estimated Total Project Cost: \$49 Million; Requested Authorization: \$20 Million***
- Interstate 10/University, interchange, Redlands  
Estimated Total Project Cost: \$5.51 Million
- Interstate 10/Alabama, interchange, Redlands  
Estimated Total Project Cost: \$27 Million
- Interstate 10/Mt. Vernon, interchange, City of San Bernardino  
Estimated Total Project Cost: \$32 Million

**TOTAL ALAMEDA CORRIDOR EAST CORRIDOR PROJECTS (\$27 Million) TO INCLUDE:**

- **#5 Priority Request:**  
**Lenwood Grade Separation, Barstow**  
**Estimated Total Project Cost: \$26 Million; Requested Authorization: \$12 Million**
- **#7 Priority Request:**  
**Vista Rd Grade Separation**  
**Estimated Total Project Cost: \$34 Million; Requested Authorization: \$15 Million**

**TOTAL PUBLIC PRIVATE PARTNERSHIPS PROJECTS (\$148 Million) TO INCLUDE:**

- **High Desert Corridor, Victorville**  
**Estimated Total Project Cost: \$900 Million; Requested Authorization: \$148 Million**

**TOTAL TRANSIT PROJECTS (\$166 MILLION) TO INCLUDE:**

- #1 Priority – E Street sbX BRT (Bus Rapid Transit Project)**  
**Estimated Total Project Cost: \$192 million; Requested Authorization: \$50 million**
- #2 Priority – Positive Train Control**  
**Estimated Total Project Cost: \$150 million; Requested Amount: \$30 million**
- #3 Priority – VVTA Administrative, Operations & Maintenance Facility**  
**Estimated Total Project Cost: \$42 million; Requested Amount: \$10 million**
- #4 Priority – San Bernardino Transit Station**  
**Estimated Total Project Cost: \$25 million; Requested Amount: \$16 million**
- #5 Priority – Redlands Rail Project**  
**Estimated Total Cost \$228 million; Requested Amount: \$60 million**

## **Guidelines for Identifying Projects for Federal Reauthorization**

San Bernardino Associated Governments (SANBAG) is formulating a strategy for the next transportation reauthorization bill, which is likely to include an opportunity to advocate for specific projects. Please assist SANBAG with identifying potential projects that will improve and maintain our existing transportation infrastructure in a manner that meets regional and national priorities by utilizing the criteria below:

- ***The nominated project is in the latest approved, conforming Regional Transportation Plan (RTP) AND in the Measure I (2010-2040) Expenditure Plan. (YES/NO)***  
Inclusion of a project in the approved, conforming RTP and in the Measure I expenditure plan demonstrates regional need, a financial commitment, and consistency with requirements to improve air quality.
- ***The nominated project has completed National Environmental Protection Act (NEPA) clearance or is in the clearance process. (YES/NO)***  
Projects that receive federal funds must complete the NEPA clearance process. Projects that have already completed or that are about to complete the NEPA process are considered more competitive.
- ***The nominated project is in the Regional Transportation Improvement Program (RTIP). (YES/NO)***  
The RTIP is a 5- year programming document that includes all regionally significant projects, regardless of funding source. Candidate projects not in the RTIP would have to be amended in, resulting in delay.
- ***Federal funding for this project would save Measure I funds for other projects. (YES/NO)***  
Federal funding for the nominated project would supplant Measure I funds, which could, in turn, be moved to other projects important to SANBAG.
- ***The nominated project is a freeway improvement, freeway interchange improvement, grade separation, rapid bus project (BRT), light rail, or commuter rail project. (YES/NO)***  
SANBAG's Measure I strategic planning process has identified the types of projects listed above. Nominated projects fitting one of the above descriptions are also more likely to match priorities in the next federal authorization bill.
- ***The nominated project is on a trade corridor of national significance and/or a High Priority Corridor on the National Highway System. (YES/NO)***  
Trade Corridors of National Significance are key freight corridors as defined by Congress, which includes I-10, I-15 and the Alameda Corridor East. Nominated projects along I-10 and I-15 may include interchange and mainline improvements. Alameda Corridor East grade separations also meet this criterion.
- ***Nominated Valley freeway interchanges: in the top 10 of the interchange prioritization list. (YES/NO)***  
Nominated Valley freeway interchanges should be among the top 10 of SANBAG's interchange prioritization list.
- ***For Valley or Victor Valley interchanges or grade separations, the development share is committed. (YES/NO)***  
The development share has been identified and committed for the nominated project.
- ***Nominated Grade Separations: top ten on prioritized list AND already federalized, OR amount of proposed federal funding more than offsets the reduction in railroad contribution and cost of delay associated with NEPA compliance. (YES/NO)***  
Grade separation projects that are already federalized are preferred.
- ***The nominated project will be able to start construction by 2014-15. (YES/NO)***  
The nominated project will have completed all pre-construction phases in time to begin construction by 2014.
- ***The nominated project is supported by multiple jurisdictions. (YES/NO)***  
The nominated project is supported by multiple jurisdictions.
- ***The nominated project is a vital connector to the state highway system and/or inter-jurisdictional mobility. (YES/NO)***  
The nominated project is a vital connector to/from the state highway system. Vital connectors may also include projects that will enhance inter-jurisdictional mobility.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CAC	Call Answering Center
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTAA	Community Transportation Association of America
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DMO	Data Management Office
DOT	Department of Transportation
E&H	Elderly and Handicapped
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICMA	International City/County Management Association
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MIS	Major Investment Study
MOU	Memorandum of Understanding

MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
MTP	Metropolitan Transportation Plan
NAT	Needles Area Transit
OA	Obligation Authority
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PPM	Planning, Programming and Monitoring Funds
PSR	Project Study Report
PTA	Public Transportation Account
PVEA	Petroleum Violation Escrow Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
ROD	Record of Decision
RTAC	Regional Transportation Agencies' Coalition
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SANBAG	San Bernardino Associated Governments
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SED	Socioeconomic Data
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TIA	Traffic Impact Analysis
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TOC	Traffic Operations Center
TOPRS	Transit Operator Performance Reporting System
TSM	Transportation Systems Management
USFWS	United States Fish and Wildlife Service
UZAs	Urbanized Areas
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

# ***San Bernardino Associated Governments***



## **MISSION STATEMENT**

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993  
Reaffirmed March 6, 1996